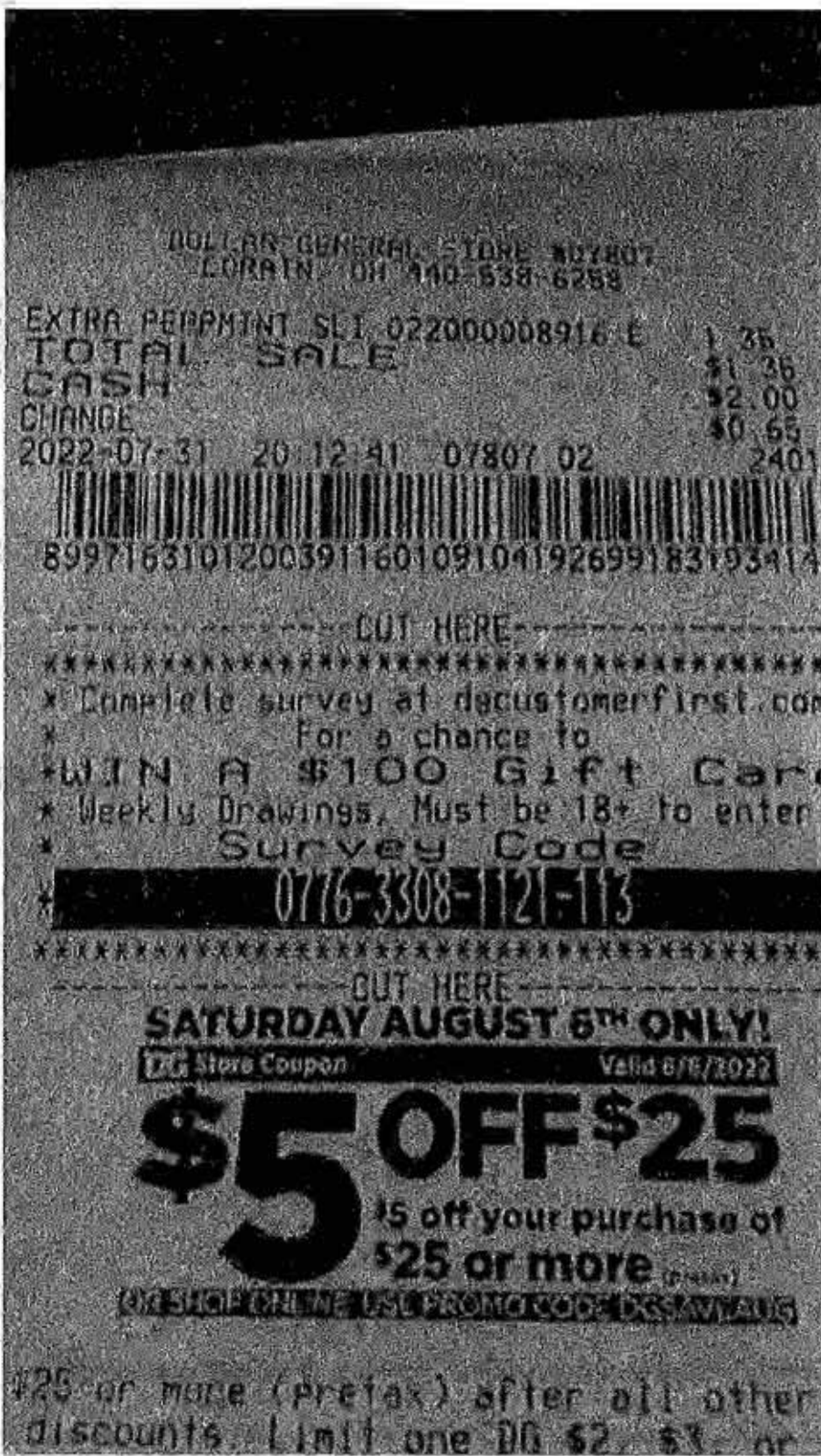


# EXHIBIT 1B



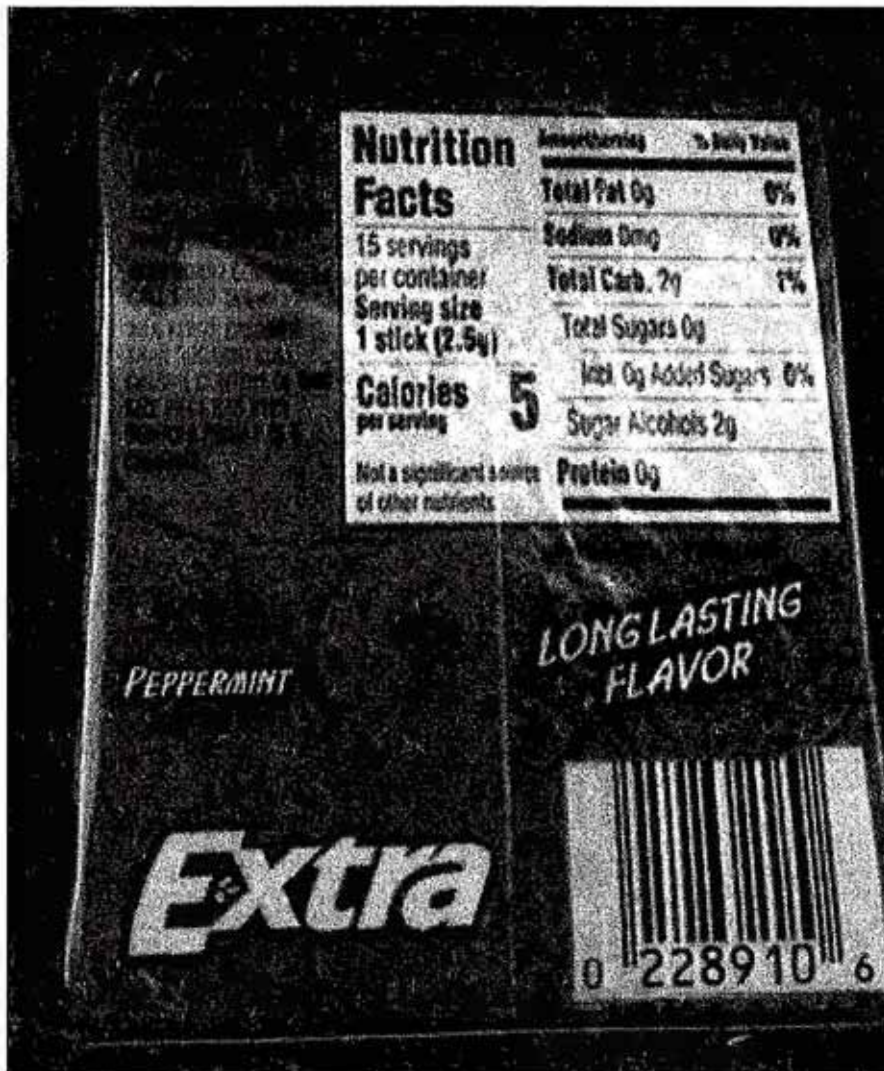


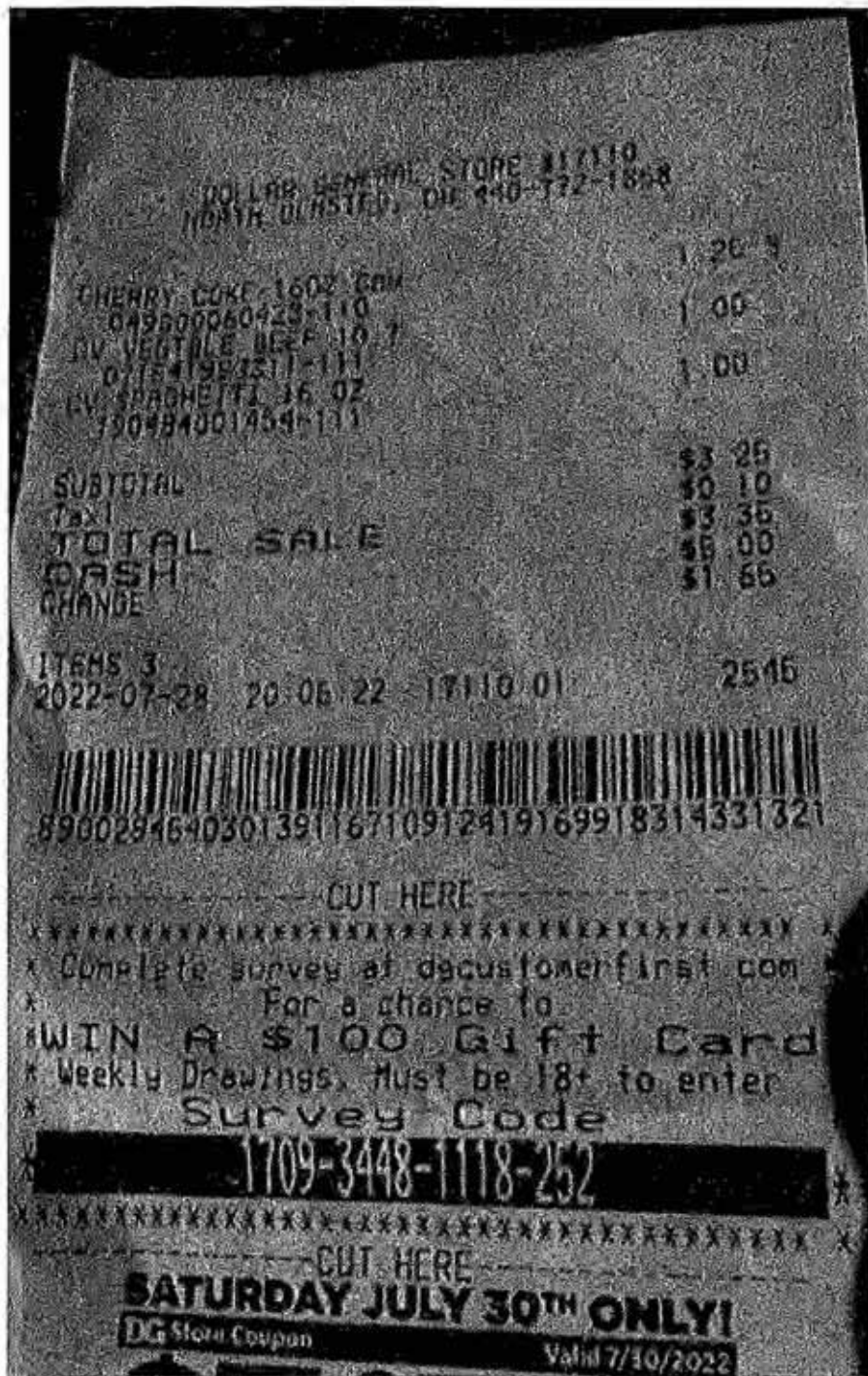


DOLLAR GENERAL









DOLLAR GENERAL







	10486
	1057
	1057
10486	5.50
1057	2.36
1057	1.00
SUBTOTAL	8.86
TOTAL SALE	89.31
CASH	\$20.00
CHANGE	\$10.29

2022-07-23 20:44:31 04686 01 2011



189635-20067133 152859174901 51631433 26

**OUT HERE**  
 A Complete survey of occasion-first con  
 For a chance to  
**WIN A \$100 Gift Card**  
 Weekly Drawings. Must be 18+ to enter  
**Survey Code**

0455-2908-1113-922

THE UNIVERSITY OF CHICAGO PRESS

**THURSDAY JULY 10TH ONLY!**

**\$5 OFF \$25**  
 with your purchase of  
 \$25 or more



Energizer Max  
Battery D-2

Alkaline

For End of (2L)



\$2.33

per each

Price  
\$4.65

1098-0001 1/18

07/21

A-P

F2

Energizer MAX





DOLLAR GENERAL - D BATTERY - POS STICKER DIFFERENCES



ABOVE - DG NORTH OLMSTED 07.29.22



ABOVE DG AMHERST, OH 07.23.22



DOLLAR GENERAL

Eveready Gold  
Battery AAA-8

Alkaline

Ft End ck (2L)



\$4.95

per each

Item Price

\$4.95

6396-0003-0051

07/21

E

A-P

F2







EVERREADY GOLD AND-B  
039300030061-150

6.00 S

SUBTOTAL

\$6.00

Tax

\$0.39

TOTAL SALE

\$6.39

CASH

\$10.00

CHANGE

\$3.61

ITEMS 1

2022-07-18 20:09:50 15252 02

7732



890161641128939116710910919919916817321171

CUT HERE

XXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXX

\* Complete survey at [dscustomerfirst.com](http://dscustomerfirst.com) \*

\* For a chance to \*

WIN A \$100 Gift Card \*

\* Weekly Drawings. Must be 18+ to enter \*

\* Survey Code \*

1511-8618-1008-643

XXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXX

CUT HERE

SATURDAY JULY 23<sup>RD</sup> ONLY!

10% Store Coupon 7/23/2023

**\$5 OFF \$25**

\$5 off your purchase of \$25 or more

EXPIRES 7/23/2023

\$25 or more (pretax) after all other DG discounts. Limit one DG \$2, \$3, or \$5 off store coupon per customer. Excludes phone, gift and prepaid financial cards, prepaid wireless handsets, Rug Doctor, rental, prepare, tobacco and alcohol.





DOLLAR GENERAL

Eveready Gold  
Battery AAA-8

Alkaline

Fr End ck (2L)



\$4.95

per each

Item Price  
\$ **4.95**

0398-0003-0001

07/21

E

A-P

F2





DOLLAR GENERAL STORE 407807  
LORAIN, OH 440-538-6258

BRISK IL SLT TEA W 012000202384 1.00 S  
CRC BRAKLEEN CLEAN 078254050508 5.50 S  
SUBTOTAL \$6.50  
TAX \$0.42  
TOTAL SALE \$6.92  
CASH \$7.00  
CHANGE \$0.08  
2022-07-14 11:01:25 07807 01 7198

899716007015839116310915919419918811321661

CUT HERE

Complete survey at [dgcustomerfirst.com](http://dgcustomerfirst.com)  
For a chance to  
WIN A \$100 Gift Card  
Weekly Drawings. Must be 18+ to enter  
Survey Code  
0776-8078-1004-102

CUT HERE

SATURDAY JULY 16<sup>TH</sup> ONLY!  
DG More Coupons  
\$5 OFF \$25  
\$5 off your purchase of  
\$25 or more  
OFFER VALID THROUGH 7/16/22

\$5 or more (pre-tax) after all other DG  
coupons. Limit one DG \$5 off per DG  
store coupon per customer. Excludes  
purchased wireless headsets, prepaid cards,  
rental propane, etc.

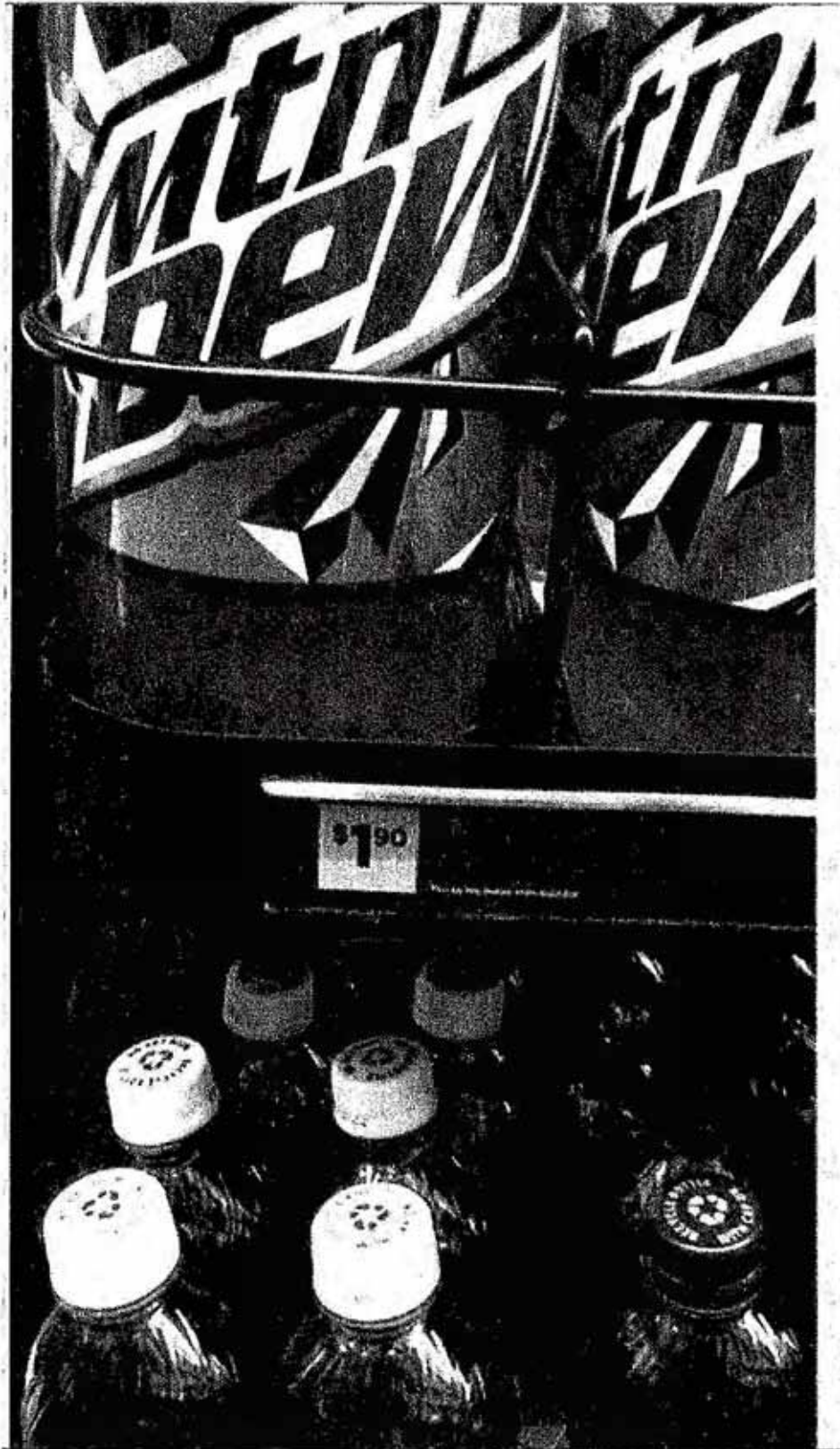




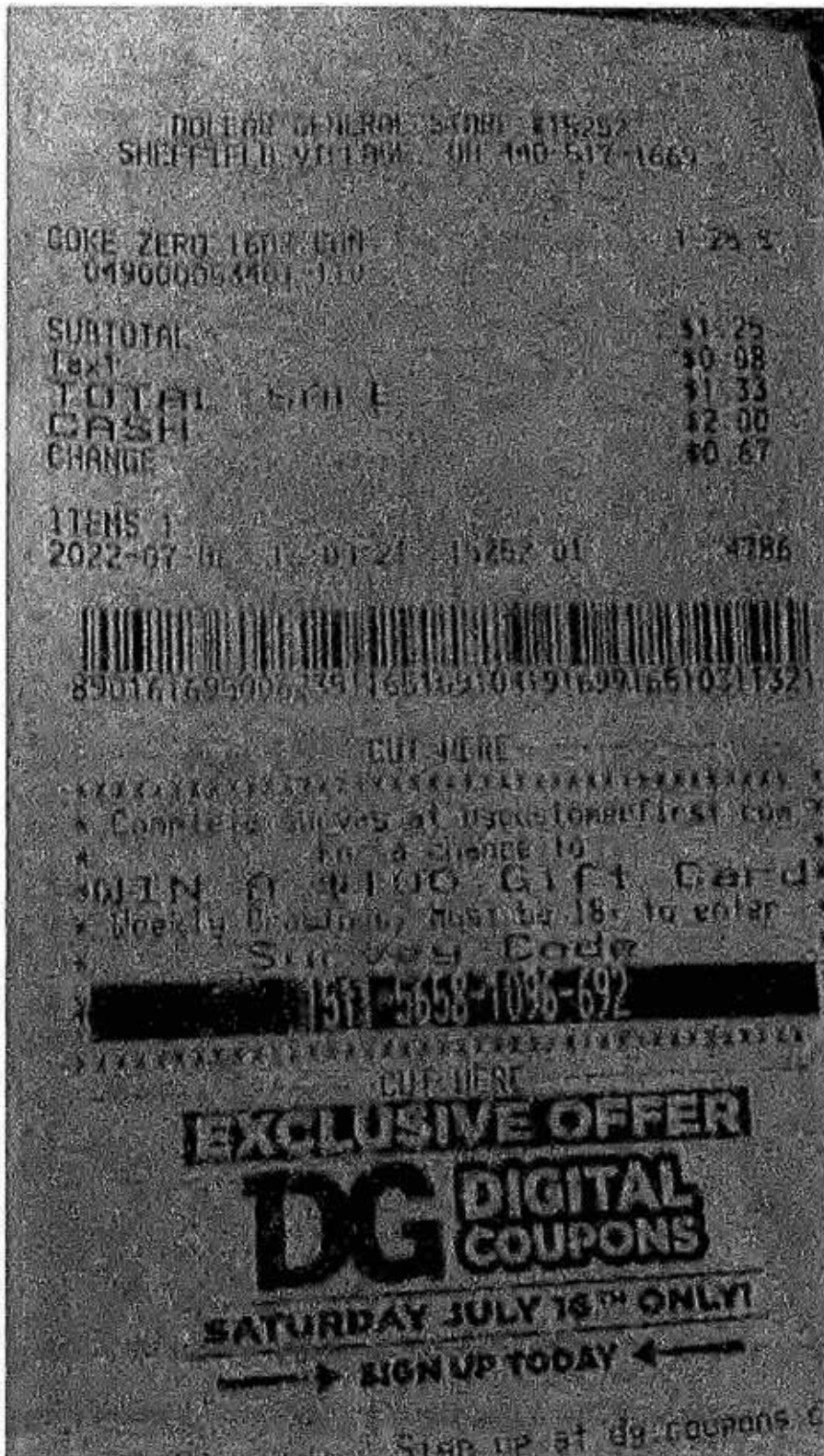




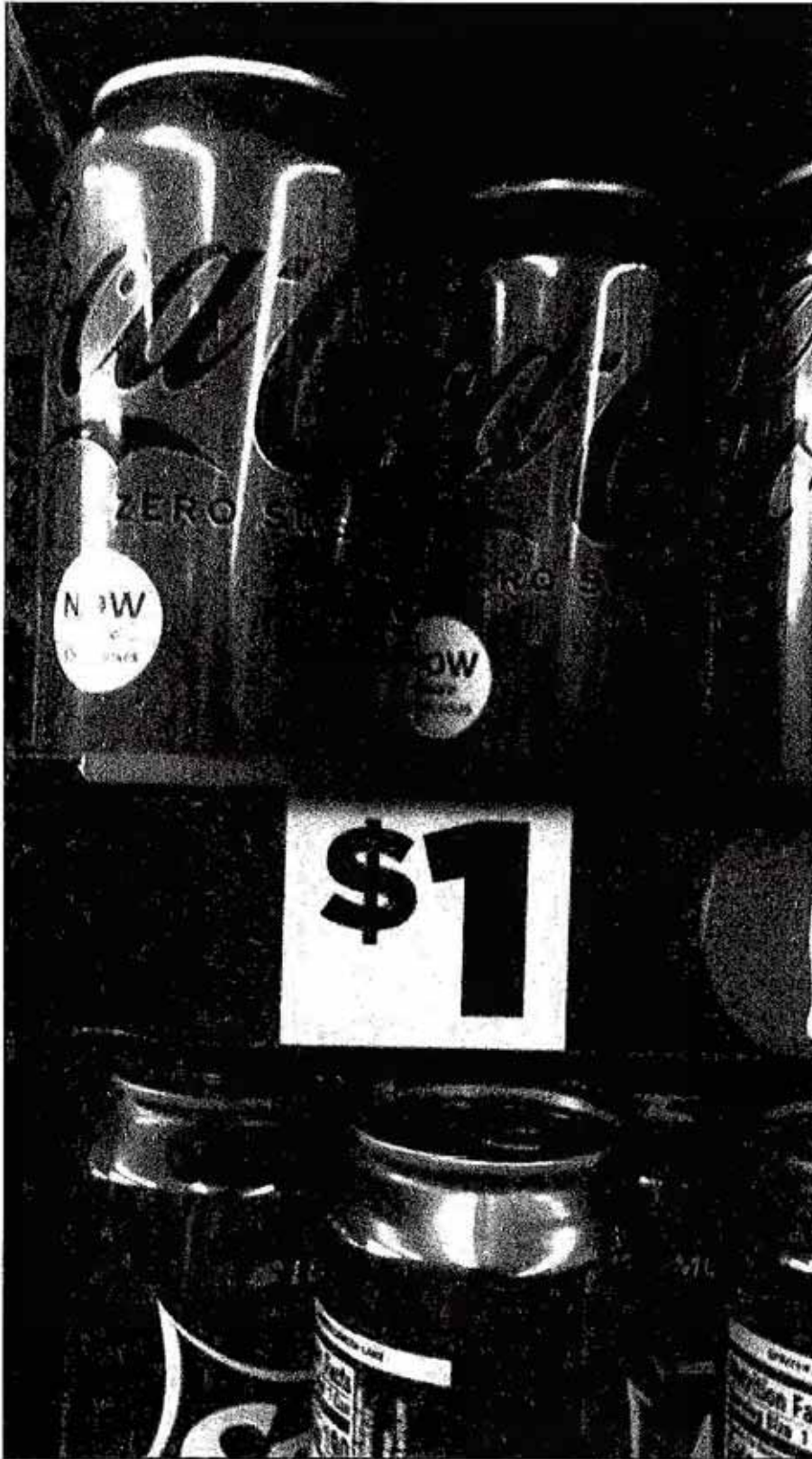
DOLLAR GENERAL







DOLLAR GENERAL





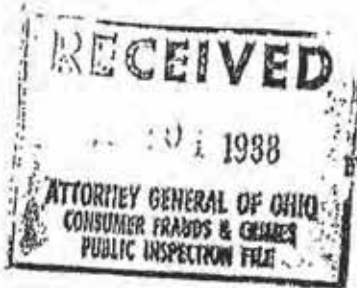
# EXHIBIT 2

PIR Number: 10000636

Case Name: WHITE V. KENT; JOSEPH CHEVROLET

Case Number: C060520





IN THE COURT OF APPEALS  
FIRST APPELLATE DISTRICT OF OHIO  
HAMILTON COUNTY, OHIO



DEBBIE WHITE,

Plaintiff-Appellee, :

vs. :

JEFFREY KENT :

and :

JOSEPH CHEVROLET, :

Defendants-Appellants.:

APPEAL NO. C-860520  
TRIAL NO. 85CV-06570

DECISION.

FILED  
COURT OF APPEALS

MAR 30 1988

CLERK OF COURTS

Civil Appeal from: Hamilton County Municipal Court

Judgment Appealed from is: Affirmed in Part: Judgment Entered  
and Cause Remanded

Date of Judgment Entry on Appeal: March 30, 1988

David J. Boyd, Esq., 500 Executive Building, 35 East Seventh  
Street, Cincinnati, Ohio 45282, for Plaintiff-Appellee,

Lindhorst & Dreidame and Jay R. Langenbahn, Esq., 1700 Central  
Trust Center, 201 East Fifth Street, Cincinnati, Ohio 45202, for  
Defendants-Appellants.

PER CURIAM.

This cause came on to be heard upon the appeal, the transcript of the docket, journal entries and original papers; from the Hamilton County Municipal Court, the transcript of the proceedings, the briefs and the argument of counsel.

Plaintiff-appellee Debbie White (White) was considering the purchase of a new car in November 1984, White, accompanied by her sister and her mother, met with a salesman of Joseph Chevrolet, Jeffrey Kent (collectively, appellants), White explained that she was interested in a Chevrolet Cavalier station wagon with certain optional equipment.

No vehicle meeting White's specification was available at appellants' place of business, but Kent suggested that he might be able to find a suitable car using a computerized automobile "locator" and to have the car brought to his lot. After some negotiations, a "deal" was arranged whereby White agreed to pay about \$235.00 per month for the car; An exact price could not be determined because the particular car which White selected had not yet been delivered to appellants. Eventually, White purchased the car.

After she examined the paperwork on the car, it became obvious to white that \$2000.00 had been added to the sticker price of the automobile, Appellants' explanation for this additional amount was that White's trade-in was also increased by \$2000.00 in order to give White some "equity" in the new car to make financing



easier. As the \$2000.00 increase over the sticker price was completely offset by the \$2000.00 increase on the value of the trade-in, appellants contended that the price of the new car to White was unchanged from what she had agreed upon.

White was not satisfied with this explanation because she understood the transaction differently. White believed that she was initially going to receive additional value for her old car rather than a reduction in the sticker price of the new car. Therefore, according to White, the additional \$2000.00 increase in the value of the trade-in should ultimately have been deducted from the original sticker price of the new car.

Subsequently, White filed suit in the Hamilton County Municipal Court under the Ohio Consumer Sales Practices Act, R.C. Chapter 1345. After a trial by jury, a verdict was returned in favor of White. Actual damages were found to be \$3100.00, and they were trebled pursuant to the statute to \$9,300.00. Further, attorney fees were awarded in the amount \$1500.00 for a total judgment in the amount of \$10,800.00.

Appellants have assigned three errors to the trial court in this timely appeal. The first and second assignments of error are interdependent and will be considered together:

First assignment of error

The trial court erred to the prejudice of the appellant [*sic*] by submitting the issue of treble damages to the jury.

Second assignment of error

The jury **verdict** is prejudicial to the appellant [sic] in that it is against the manifest weight of the evidence.

It is clear from the complaint that an unfair consumer practice was being alleged against appellants, and therefore, if the judgment is not against the manifest weight of the evidence, then the trial court properly submitted the question of treble damages to the jury. Accordingly, the result of the second assignment of error may well be determinative on the first assignment of error.

In the trial of a civil suit it has been long established that "[j]udgments supported by some competent, credible evidence going to all the essential elements of the case will not be reversed by a reviewing court as being against the manifest weight of the evidence," *C. E. Morris Co. v. Foley Construction Co.* (1978), 54 Ohio St. 2d 279, 376 N.E.2d 578, syllabus. We hold that the evidence fully supports the jury's finding of an unfair consumer practice,

At trial, White, her sister and her mother all testified that the \$2000.00 increase in the value of White's trade-in was in lieu of a reduction in the sticker price of the new car. While White argues that numerous unfair and unconscionable consumer practices were committed, we think it is sufficient to note that the statute specifically states that it is an unfair consumer practice for a supplier to indicate that a "specific price advantage exists, if it does not," R.C. 1345.02(B)(8). If the jury believed white and her witnesses, then it could have



found that both Kent, the salesman, and Gary Cunningham, the finance manager, told White that a price advantage existed where it did not. The testimony was competent and not incredible.

Appellants argued strongly, both at trial and in oral argument before us, that the deal as described by White would not have made economic sense because the dealership would have sold the new car for less than what it cost them, and that White would have received more than she paid for her trade-in after driving it for about two years and putting about 14,000 additional miles on the odometer.

certainly the jury did not have to find that the dealership was planning on losing money. All that was necessary was that the jury believed that White was told of a price which was not the true price. The jury could have thought that appellants never had any intention of actually selling the car for the amount they told White, but rather that they intended to increase the purchase price from the beginning of the negotiations. The jury was completely free to believe all, part or none of what any witness said. *State v. Antill* (1964), 176 Ohio St. 61, 197 N.E.2d 548. Accordingly, the jury's verdict was not inconsistent with the manifest weight of the evidence, and the trial court did not err in submitting the issue of treble damages to the jury. The first and second assignments of error are overruled.

In the third assignment of error, appellants claim that the trial court erred in overruling their motion for judgment

notwithstanding the verdict or **for** a new trial. In both the memorandum in support of the motion to the trial court and their appellate brief to this court, appellants incorporate their arguments from the first and second assignments of error. For the reasons expressed in the foregoing, we overrule the third assignment of error,

Finally, we note that the amount awarded, \$10,800.00, exceeded the \$10,000.00 jurisdictional limit of the municipal court, R.C. 1901.17. Therefore, we **vacate** said judgment and we enter the judgment that the trial court should **have** entered, \$10,000.00, pursuant to App. R. 12(B). We remand the **cause** to the trial court for a determination of **how** the reduction should be divided between the trebled damages and the **award** of attorney fees. In all other respects the judgment is affirmed.

BLACK, P.J., DOAN and KLUSMEIER, JJ.

PLEASE NOTE:

The Court **has** placed of record its own entry in this **case** on the date of the **release** of this Decision.



**RECEIVED**  
ATTORNEY GENERAL OF OHIO

**NOV 27 2003**

CONSUMER PROTECTION SECTION  
PUBLIC INSPECTION FILE

**IN THE COURT OF COMMON PLEAS  
DELAWARE COUNTY, OHIO**

STATE OF OHIO, *ex rel.*  
JIM PETRO  
ATTORNEY GENERAL OF OHIO

Plaintiff,

v.

LEVEL PROPANE GASES, INC.

Defendant.

CASE NO. 01-CVH 01-018

JUDGE W. DUNCAN WHITNEY

AGREED ENTRY & ORDER

JAN ANTONCLOS  
CLERK

2003 NOV 24 AM 10:30

COMMON PLEAS COURT  
DELAWARE COUNTY, OHIO  
FILED

This matter came to be heard upon the filing of a Complaint by the Attorney General of Ohio on January 8, 2001. Subsequent to the filing of the Complaint, Defendant Level Propane Gases, Inc. (Level) filed a Chapter 11 Bankruptcy proceeding in the United States Bankruptcy Court, N.D. Ohio (Case No. 02-16172). A prior agreement between the parties was rejected pursuant to 11 U.S.C. Section 365. By signing this Agreed Entry, Level submits to the personal jurisdiction of this court and consents to the entry of this Agreed Entry and Order ("Agreed Order").

This Agreed Order shall apply to and bind Level, its shareholder(s), officers, directors, agents, servants, employees, subsidiaries, successors or assigns, and any person or entity acting through any corporation or other propane businesses whose acts, practices, or policies are, in any respect, directed, formulated, or controlled by Level.

TERMINATION CODE 5

### DEFINITIONS

As used in this Agreed Order, the following terms shall have the following meanings:

1. "Advertisement" means any oral, written, graphic, electronic or pictorial statement or representation directed to consumers in the course of business, regardless of the medium of communication employed.
2. "Business Day(s)" means Monday through Friday of any given week.
3. "Calendar Day(s)" means Sunday through Saturday of any given week.
4. "Clear and conspicuous" means that the statement, representation or term being disclosed is of such size, color, contrast and audibility and is so presented as to be readily noticed and understood by the person to whom it is being disclosed. The disclosure of any written statement or term must be in close proximity to the terms it purports to clarify, modify, or explain.
5. "C.O.D." means cash on delivery.
6. "Consumer" means a person as defined in R.C. §1345.01(D).
7. "Contract" means the written agreement entered into between Level and the consumer prior to the filing of this Agreed Order.
8. "Contract Price" means any of the following:
  - A. a clear, conspicuous, and unambiguous written price representation by Level to a consumer or consumers;
  - B. an oral price quote by any employee or agent of Level including, but not limited to, drivers and customer service representatives that is confirmed by Level;
  - C. a web site quote.



9. "Courtesy Fill" means Level will deliver propane to consumers according to Level's estimate of the consumers' propane use.
10. "Lock-in Agreement" means Level's offer to consumers whereby consumers may guarantee a price of propane for a stated price per gallon for a stated period of time.
11. "Market Price" means the actual price at which propane gas is currently sold, or has recently been sold, in the open market at retail in the usual and ordinary course of trade and competition between sellers and buyers equally free to bargain, as established by records of sales or the last reported price at which the propane sold.
12. "Material Terms and Conditions" means the price per gallon of propane, delivery date, and fees/charges that the consumer may be required to pay, any conditions affecting the price or delivery date, and any other terms or conditions which may affect the consumer's choice of a propane supplier.
13. "Minimum Usage" means the minimum number of gallons of propane that a consumer must purchase during the term of the contract in order to avoid the payment of any Underutilization Fee or any other fee or penalty.
14. "Pre-Buy Agreement" means Level's offer to consumers whereby consumers may pre-pay for a specific amount of propane for a stated price per gallon for a stated period of time by paying for such propane in advance of delivery.
15. "Represent," "Representing," and "Representation" mean and include any communication, including any advertisement whether made in writing, orally, by picture, design, or other graphics, and made by any means or mode of transmission including, but not limited to, telephonic or electronic transmission.

“Represent,” “Representing” and “Representation” include any implied representation.

16. “Underutilization Fee” means the amount a consumer must pay if the consumer does not purchase the minimum number of gallons of propane required under the terms of the contract. It is also the total amount charged to the consumer as calculated by the minimum gallons of propane gas that must be purchased multiplied by the quoted price per gallon, less the actual gallons purchased multiplied by the actual price charged.
17. “Will Call” means Level will deliver propane to consumers after the consumers request delivery of propane.

**AGREED FINDINGS OF FACT**

1. Defendant is a corporation incorporated in the State of Ohio.
2. Defendant was engaged in the business of soliciting for sale and selling liquid petroleum gas, commonly known as propane, and related products and services in Delaware County and numerous other counties throughout Ohio.
3. Defendant regularly advertised its propane product throughout the State of Ohio.
4. Level required its customers to enter into written agreements for the purchase of propane.

**AGREED CONCLUSIONS OF LAW**

1. This Court has jurisdiction over the subject matter, issues, and parties to this judgment.
2. The Ohio Attorney General is the proper party to bring this action and venue is proper.



3. The Consumer Sales Practices Act, R.C. §1345.01 et seq. governs the business practices of the Defendant.
4. At all relevant times hereto, Level was a “supplier” as that term is defined in R.C. §1345.01 (C) in that it engaged in the solicitation of “consumer transactions” as that term is defined in R.C. §1345.01(A).

**CONCLUSIONS OF LAW ASSERTED BY THE ATTORNEY GENERAL AND  
ADOPTED BY THE COURT**

1. A propane supplier’s practice of making offers in written or printed advertisements without stating clearly and conspicuously in close proximity to the words stating the offer any material exclusions, reservations, limitations, modifications, or conditions to obtaining the offered propane and/ or the offered price is an unfair and deceptive act or practice in violation of the Exclusions and Limitations in Advertisements Rule, O.A.C. §109:4-3-02(A)(1) and the Consumer Sales Practices Act, R.C. §1345.02(A).
2. A propane supplier’s practice of failing to honor guaranteed or promised prices is an unfair, deceptive and unconscionable act or practice in violation of the Consumer Sales Practices Act, R.C. §1345.02(A), R.C. §1345.02(B)(8) and R.C. §1345.03(A).
3. A propane supplier’s practice of refusing to disclose the price of the propane that it is delivering to consumers is an unfair, deceptive, and unconscionable act or practice in violation of the Consumer Sales Practices Act, R.C. §1345.02(A), R.C. §1345.03(A), R.C. §1345.03(B)(5), and the Repairs or Services Rule, O.A.C. §109:4-3-05.

4. A propane supplier's practice of advertising that its propane prices are "low" or the "lowest" available when its prices are sometimes substantially higher than its competitors, or promising high quality service, when such is not the case is an unfair and deceptive act or practice in violation of the Consumer Sales Practices Act, R.C. §1345.02(A) and R.C. §1345.02(B)(8).
5. A propane supplier's practice of advertising or promising prompt delivery of propane to consumers without having taken, at the time of the advertisement or promise, commercially reasonable action to insure prompt delivery of propane to consumers is an unfair and deceptive and unconscionable act or practice in violation of the Consumer Sales Practices Act, R.C. §1345.02(A), R.C. §1345.03(A), and the Failure to Deliver Rule O.A.C. §109:4-3-09.
6. A propane supplier's practice of failing to respond to valid consumer complaints and/or to provide adequate customer service within a reasonable period of time is an unfair and deceptive act or practice in violation of the Consumer Sales Practices Act, R.C. §1345.02(A) and R.C. §1345.03(A). A propane supplier commits an unfair and deceptive act in violation of R.C. §1345.02 by failing to provide consumers who have purchased a propane tank from it with proof of purchase and ownership of the tank.
7. A propane supplier commits an unfair and deceptive act in violation of R.C. §1345.02 by failing to incorporate all material terms in its contracts with consumers, including clear and conspicuous disclosure of terms relating to price and any pricing program (i.e. Pre-pay, lock-in), any delivery program (i.e. Courtesy Fill, Will Call), minimum usage, tank delivery and pick-up, disconnection, reconnection, pump-outs, and the terms and conditions under



- which the propane supplier can change the delivery or payment status of the consumer (i.e., from Courtesy Fill to Will Call, C.O.D. or Payment in Advance).
8. A propane supplier commits an unfair and deceptive act in violation of R.C. §1345.02 by failing to honor its Lock-In Agreement prices as specified in the contract with the consumer.
  9. A propane supplier commits an unfair, deceptive and unconscionable act in violation of R.C. §§1345.02 and 1345.03 by incorporating in its consumer contract, or attempting to enforce, any provision that permits the propane supplier to unilaterally modify the contract with the consumer or any provision that limits the consumer to a specific court of competent jurisdiction when commencing a civil action against the supplier.
  10. A propane supplier commits an unfair and deceptive act in violation of R.C. §1345.02 by misrepresenting any material terms or conditions in connection with the advertisement, offer, sale, or delivery of propane to consumers.
  11. A propane supplier commits an unfair and deceptive act in violation of R.C. §1345.02 if it fails to use commercially reasonable efforts and standards to determine and provide an appropriately sized propane tank designed to meet the consumer's propane needs.
  12. A propane supplier commits an unfair, deceptive and unconscionable act in violation of R.C. §§1345.02 and 1345.03 by charging a consumer more for an emergency delivery of propane than for a regular delivery of propane when the emergency need was the result of the propane supplier's failure to provide a timely deliver of propane.

13. Until the earlier of (i) a propane supplier obtaining a written agreement with the consumer for the delivery of propane and/or the setting up of a tank, or (ii) a propane supplier receiving payment for the delivery of propane to a consumer, such supplier will be required to remove the tank and any other related equipment at no expense to the consumer if so requested by the consumer in writing.
14. A propane supplier commits an unfair and deceptive act in violation of R.C. §1345.02 if it fails to disclose during an oral price quote the price per gallon of propane, the time period for which the quoted price will be available, the time period for which the quoted price applies, and all other material terms and conditions applicable to receiving propane at the quoted price.

#### **NON-ADMISSION BY LEVEL**

Level does not admit that it has engaged in any wrongdoing and the court makes no finding that Level has operated in violation of the Consumer Sales Practices Act §1345.01 et seq. Level enters into this Agreed Order with the Attorney General to resolve the matters before this Court.

#### **ORDER**

For the purpose of effecting this Agreed Order, Level agrees and it is therefore ORDERED, ADJUDGED, and DECREED that:

A. Level is permanently enjoined from engaging in any act or practice in violation of the Consumer Sales Practices Act, R.C. §§1345.01 et seq., any act or practice prohibited by the Conclusions Of Law Asserted By The Attorney General And Adopted By The Court, and the following described acts:

1. Charging the consumer for any propane gas not delivered to the consumer; unless the consumer's agreement with Level specifically sets forth the terms and



conditions for imposing such a charge and all such terms and conditions have been met;

2. On a consumer's request therefor, failing to provide all Level consumers who have purchased tanks from Level with proof of ownership necessary for these consumers to exercise their right to have their own tanks filled by Level's competitors;
3. Falsely representing that Level's prices will remain "level," or words of similar import, or that Level purchases fuel prior to any heating season so as to ensure the customer will not be harmed by rise in fuel prices;
4. Failing to honor its Lock-in Agreement prices for the term specified in Level's existing Contract with a consumer provided that the consumer is not in material breach of the Contract, said material breach including but not limited to non-compliance with payment terms;
5. Employing or continuing to employ any unfair or deceptive practices against any consumer who, in good faith, refuses to pay Level for any increased cost of propane or any other fee not specifically authorized by its existing Contract;
6. Utilizing or enforcing any provision purporting to reserve to Level the unfettered right to modify the Contract unilaterally; or, (ii) any provision limiting the consumer to commencing an action against Level only in a specific court of competent jurisdiction;
7. Subject to the requirements of paragraph 7 of Section B of this Agreed Entry and Order, and except for purposes of asserting its rights to the following fees for purposes of setoff against a consumer claim, collecting or attempting to collect

any fees, charges, penalties or monies Level claims is owed by any Level consumers prior to June 6, 2002 for the following:

- a. underutilization fees;
- b. tank pick up fees and taxes;
- c. tank pump-out fees;
- d. the difference between the price of propane set forth in the consumer's Lock-in Agreement and the cost actually charged. If consumers have not yet paid the increased amount to Level, Level will adjust the consumers' bills to reflect the price of propane set forth in the consumer's pre-buy or lock-in Contract;
- e. for those consumers who were promised a certain price per gallon in writing including, but not limited to, any correspondence or delivery receipts, the difference between the price actually charged and the price of propane represented in the writing;
- f. for those consumers who received delivery of propane after the end of the term of the Contract at an increased price per gallon above the price set forth in their Contracts and who canceled their Contract at the end of the term due to the increase in the price per gallon of propane but were billed at the increased amount, the difference between the amount charged and the amount set forth in their Contracts for any propane used by the consumer.
- g. any lock-in fee if the consumer did not receive the price promised by Level at any time the locked-in price promise was to remain effective;



- h. any fees, deposits, or other payments not disclosed in Level's Contract with the consumer or not lawfully charged including, but not limited to, surcharges for consumer's use of credit (or credit card), adjusting the customer's account to zero balance when the customer had a credit balance in the account, miscellaneous fees, deviation fees, and retrieval fees;
  - i. any late payment penalty, without qualification, that has been assessed based upon an underutilization charge, a tank pump-out fee, a disconnection fee, reconnection fee, tank pick-up fee, or the difference between the cost quoted for propane and the cost actually charged; and
  - j. any late payment fee or returned check fee where such fees were not permitted by law.
- B. Level agrees to comply with the following business practices;
  - 1. Level shall take commercially reasonable steps to direct all credit reporting agencies to remove any negative or derogatory information regarding Level, which is incorrect, within thirty (30) days of receiving a complaint by a consumer which is supported by evidence that the reporting is incorrect.
  - 2. Level shall not charge more than the amount allowable under applicable state or federal law for a late payment and shall not collect or attempt to collect any such late charge not specifically disclosed in Level's Contract with the consumer.
  - 3. Level shall not use any debt collection practices, which are in violation of Ohio or federal laws.
  - 4. Level shall maintain records, correspondence, receipts and any other documentation relating to all accounts for consumers of Level for a period of

three (3) years while they are customers of Level and for a period of two (2) years after termination of any relationship between Level and the consumer.

5. Level shall comply with Ohio's referral sales statutes.
6. Level shall give written notice of any bankruptcy filing to the Attorney General within five (5) business days of such filing.
7. In the event Level or majority voting control of its stock is sold, transferred or conveyed, or Level is merged with and into another entity, the documents that evidence such a transaction shall include a provision that, except for purposes of asserting its rights to the following fees for purposes of setoff against a consumer claim, prohibits Level's successor from collecting or attempting to collect any fees, charges, penalties or monies Level claims is owed by any Level consumers prior to June 6, 2002 for the following:
  - a. underutilization fees;
  - b. tank pick up fees and taxes;
  - c. tank pump-out fees;
  - d. the difference between the price of propane set forth in the consumer's Lock-in Agreement and the cost actually charged. If consumers have not yet paid the increased amount to Level, Level will adjust the consumers' bills to reflect the price of propane set forth in the consumer's pre-buy or lock-in Contract;
  - e. for those consumers who were promised a certain price per gallon in writing including, but not limited to, any correspondence or delivery receipts, the difference between the price actually charged and the price of propane represented in the writing;



- f. for those consumers who received delivery of propane after the end of the term of the Contract at an increased price per gallon above the price set forth in their Contracts and who canceled their Contract at the end of the term due to the increase in the price per gallon of propane but were billed at the increased amount, the difference between the amount charged and the amount set forth in their Contracts for any propane used by the consumer.
- g. any lock-in fee if the consumer did not receive the price promised by Level at any time the locked-in price promise was to remain effective;
- h. any fees, deposits, or other payments not disclosed in Level's Contract with the consumer or not lawfully charged including, but not limited to, surcharges for consumer's use of credit (or credit card), adjusting the customer's account to zero balance when the customer had a credit balance in the account, miscellaneous fees, deviation fees, and retrieval fees;
- i. any late payment penalty, without qualification, that has been assessed based upon an underutilization charge, a tank pump-out fee, a disconnection fee, reconnection fee, tank pick-up fee, or the difference between the cost quoted for propane and the cost actually charged; and
- j. any late payment fee or returned check fee where such fees were not permitted by law.

Provided, however, such successor in interest may assert its right to such fees if a consumer first brings a legal action against such successor and such successor asserts such rights solely for purposes of setoff against the consumer claim; provided, however, such rights to setoff

only may be exercised in compliance with R.C. §1345. Except as expressly provided in this section 7, the Attorney General hereby withdraws its objection to the transfer of some or all of Level's (and its affiliate's) assets free and clear of any interest the Attorney General may have in such assets or with regard to Level or its affiliates.

8. Upon reasonable request, Level shall provide copies of or access to the requested books, records and documents to the Attorney General at any time upon reasonable notice, and further make available other information to the Attorney General relating to compliance of this Agreed Entry & Order. Level shall make the requested information available at Level's offices or, at Level's election, shall deliver copies of the requested information to the Attorney General, in each case, within fourteen (14) business days of such request. This Section shall in no way limit the Attorney General's right to obtain documents, information, or testimony pursuant to any federal or Ohio law, regulation or rule.
9. Level shall immediately inform its employees and representatives acting in a supervisory capacity of the existence of, and terms and conditions of, this Agreed Entry And Order and shall direct those persons and/or entities to comply with this Agreed Entry and Order.
10. Level shall implement and maintain business practices designed in a commercially reasonable manner to minimize customer service related concerns including, but not limited to: failure to provide deliveries, repeated missed delivery dates, inability by consumers to reach Level's customer service representatives, billing questions immediately turned over to Level's collection department regardless of the circumstances, and other billing disputes.



11. Level shall not renew any consumer's existing Contract unless that Contract conforms to the terms of this Agreed Entry And Order and all applicable laws.
12. Level shall not enter into any Contract with a consumer to provide that consumer with propane unless the Contract conforms to the terms of this Agreed Entry And Order and all applicable laws.
13. On filing and entry of this Agreed Order, notwithstanding the "Governing Law" paragraph in Level's Contracts, Level hereby agrees not to object to consumer disputes being litigated in the jurisdiction in which the consumer resides. Level further agrees that its consumer contracts are subject to the consumer protection laws of the states in which the consumer resides.

C. The parties acknowledge that the Attorney General, in his complaint, sought reimbursement for consumers damaged by the alleged illegal conduct of Level. The parties originally contemplated that this case would be settled in conjunction and coordination with the settlement of a class action known as Larry Mick, et al. v. Level Propane Gases, Inc., United States District Court for the Southern District of Ohio, Eastern Division, Case No. C-2-98-959, a class action covering all Ohio consumers potentially eligible for damages through the Attorney General's instant action with the consumer class represented by private counsel. These consumer claims are now subject to, and being addressed in, the pending Level bankruptcy action known as In Re Level Propane Gases, Inc., et al., Debtors, Chapter 11 Case No. 02-16172 (Jointly Administered), United States Bankruptcy Court, Northern District of Ohio, Judge Randolph Baxter presiding.

D. It is hereby ORDERED that Level shall not represent, directly, or indirectly, that the Attorney General has sanctioned, condoned, or approved any part or aspect of the Defendant's business operation.

E. It is hereby ORDERED that Level is assessed a civil penalty pursuant to R.C. §1345.07(D) in the amount of Two Hundred Fifty Thousand Dollars (\$250,000.00). Two Hundred Thousand Dollars is suspended on the condition that Level not violate the terms of this Agreed Entry & Order. The parties hereto agree that such civil penalty is a pre-petition unsecured claim against Level in the amount of Fifty Thousand Dollars (\$50,000) pursuant to this remunerative provision, and, to the extent that Level violates the terms of this Agreed Entry & Order, that such civil penalty will be a pre-petition unsecured claim for up to an additional Two Hundred Thousand (\$200,000) pursuant to this remunerative provision.

F. It is hereby ORDERED that Level shall pay Two Hundred and Seventy Five Thousand Dollars (\$275,000.00) to the Attorney General for attorney fees and investigation costs. The parties hereto agree that such payment is a pre-petition unsecured claim in the amount of Two Hundred and Seventy-Five Thousand Dollars (\$275,000) pursuant to this remunerative provision.

G. The Attorney General shall give Level fourteen (14) calendar days notice before filing a motion or other pleading seeking contempt of court or other sanctions for violation of this Agreed Entry & Order. The notice shall be in writing and set forth those provisions in the Agreed Entry & Order that the Attorney General believes have been violated. The fourteen (14) calendar days notice period shall provide an opportunity for Level to respond to the assertions of the Attorney General and the parties may use the notice period to attempt a resolution of the concerns. Upon receipt of the written notice, Level may request a meeting with the Attorney General (or a staff person designated by the Attorney General) for the purpose of attempting to resolve the concerns set forth in the Attorney General's notice. The Attorney General shall not unreasonably deny the request for such a meeting. The giving of such notice shall not prevent the Attorney General from beginning such proceeding following the expiration of the fourteen



(14) calendar day period. The Attorney General reserves his right, if there are exigent circumstances regarding Level's service to its Ohio customers, to by-pass the fourteen (14) calendar day notice period and immediately take any and all legal actions to address those exigent circumstances.

H. The Attorney General may notify or serve Level as provided under this Agreed Entry & Order or in any subsequent action at the following address and telephone number:

H. Jeffrey Schwartz, Esq.  
Benesch, Friedlander, Coplan & Aronoff LLP  
2300 BP Tower, 200 Public Square  
Cleveland, Ohio 44114-2378  
(216) 363-4500

Level shall notify the Attorney General in writing of any change in the notice/service person or contact information.

I. Level, if necessary, may notify the Attorney General under this Agreed Entry & Order at the following address and telephone number:

Mr. David M. Dembinski  
Assistant Attorney General  
Consumer Protection Section  
30 East Broad Street, 14<sup>th</sup> Floor  
Columbus, Ohio 43215  
(614) 644-9618

If Mr. Dembinski is unavailable, Level may notify the Attorney General at the following address and telephone number:

Senior Deputy Attorney General  
Consumer Protection Section  
30 East Broad Street, 14<sup>th</sup> Floor  
Columbus, Ohio 43215  
(614) 644-9618

J. Failure of the Attorney General to timely enforce any term, condition, or requirement of this Agreed Entry & Order shall not provide, nor be construed to provide, Level a

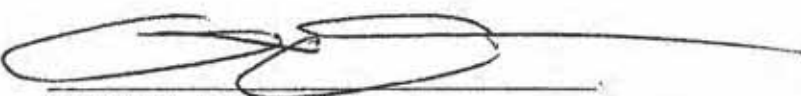
defense for noncompliance with any term of this Agreed Entry & Order or any other law, rule, or regulation; nor shall it stop or limit the Attorney General from later enforcing any term of this Agreed Entry & Order or seeking any other remedy available by law, rule, or regulation.



JUDGE W. DUNCAN WHITNEY

APPROVED:

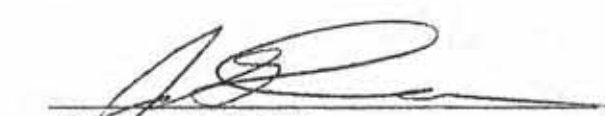
JIM PETRO  
Attorney General



DAVID M. DEMBINSKI  
Ohio Sup. Ct. Atty. No. 0006978  
MICHAEL S. ZIEGLER  
Ohio Sup. Ct. Atty. No. 0042206

Assistant Attorneys General  
Consumer Protection Section  
30 East Broad Street  
State Office Tower - 14th Floor  
Columbus, Ohio 43215-3428  
614/644-9618

Counsel for Plaintiff



JOHN A. GLEASON  
Ohio Sup. Ct. Atty. No. 0039150  
Benesch, Friedlander, Coplan & Aronoff LLP  
88 East Broad Street, Suite 900  
Columbus, Ohio 43215-3506  
614/223-9300

Counsel for Level Propane Gases, Inc., Debtor  
and Debtor-in-Possession





## Public Docket Information

**NORMAN HUSAR V/S DOLGEN MIDWEST LLC**Case Number: **22CV207195****Case Details**

Type Of Action: Other Civil-CV  
 Judge: Miraldi, Judge James  
 Filed On: 10/11/2022

**Parties**

Name	Birth Date	Party	Address	Attorney(s)
HUSAR, NORMAN	N/A	P	C/O DANNLAW 15000 MADISON AVE LAKEWOOD, OHIO 44107	
DOLGEN MIDWEST LLC	N/A	D	C/O CORPORATION SERVICE COMPANY 3366 RIVERSIDE DR, STE 103 UPPER ARLINGTON, OHIO 43221	

**Filter Docket**

☐ Show All ☐ FILING ☐ REQUEST  
☐ FEES

Filter

Date	Type	Description
10/11/2022	N/A	Filing fee of \$300.00, paid by: DANN LAW FIRM CO LPA
10/11/2022	N/A	Receipt #: 22-0023571 Processed.
10/11/2022	FILING	COMPLAINT FILED.
10/11/2022	REQUEST	REQUEST FOR SERVICE FILED.
10/11/2022	N/A	SUMMONS W/COPY OF COMPLAINT SENT CERTIFIED MAIL TO: DOLGEN MIDWEST LLC ARTICLE #9414726699042202719822 Certified Mail Return : Article # : 9414726699042202719822, Delivered Date : 10/14/2022, Reason : Signed Receipt for Certified Mail Returned and Filed., Party : DOLGEN MIDWEST LLC, Note :
10/19/2022	N/A	
11/14/2022	FILING	NOTICE OF REMOVAL FILED BY DEFT Defendant has timely filed a notice of removal to the United States District Court for the Northern District of Ohio pursuant to 28 U.S.C. Sec. 1446. Therefore, the clerk of courts shall transfer the above-captioned case to United States District Court for the Northern District of Ohio, forthwith.
11/17/2022	N/A	

11/17/2022 FEES

FEES ADDED:

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CMCSch,Cat12,Parker

**U.S. District Court  
NORTHERN DISTRICT OF OHIO (Cleveland)  
CIVIL DOCKET FOR CASE #: 1:22-cv-02044-JG**

Husar v. Dolgen Midwest, LLC

Assigned to: Judge James S. Gwin

Demand: \$5,000,000

Case in other court: Lorain County Common Pleas, 22-cv-207195

Cause: 28:1441 Petition for Removal

Date Filed: 11/14/2022

Jury Demand: Both

Nature of Suit: 890 Other Statutory Actions

Jurisdiction: Federal Question

**Plaintiff**

**Norman Husar**

*on behalf of himself and those similarly  
situated*

represented by **Brian D. Flick**

DannLaw

15000 Madison Avenue

Lakewood, OH 44107

513-645-3488

Fax: 216-373-0536

Email: bflick@dannlaw.com

**ATTORNEY TO BE NOTICED**

**Marc E. Dann**

Dann Law

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Lakewood, OH 44107

216-373-0539

Fax: 216-373-0536

Email: notices@dannlaw.com

**ATTORNEY TO BE NOTICED**

**Michael A. Smith , Jr.**

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216-373-0539

Fax: 216-373-0536

Email: msmith@dannlaw.com

**ATTORNEY TO BE NOTICED**

**Whitney E. Kaster**

DannLaw

15000 Madison Avenue

Lakewood, OH 44107

216-452-1029

Email: wkaster@dannlaw.com

**ATTORNEY TO BE NOTICED**



V.

**Defendant**

**Dolgen Midwest, LLC**  
*doing business as*  
 Dollar General

represented by **R. Trent Taylor**  
 McGuireWoods  
 800 East Canal Street  
 Richmond, VA 23219  
 804-775-1182  
 Fax: 804-225-5409  
 Email: rtaylor@mcguirewoods.com  
**LEAD ATTORNEY**  
**PRO HAC VICE**  
**ATTORNEY TO BE NOTICED**

**Travis C. Gunn**  
 McGuireWoods  
 800 East Canal Street  
 Richmond, VA 23219  
 804-775-7622  
 Fax: 804-698-2039  
 Email: tgunn@mcguirewoods.com  
**LEAD ATTORNEY**  
**PRO HAC VICE**  
**ATTORNEY TO BE NOTICED**

**Brenna L. Fasko**  
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 3900 Key Center  
 127 Public Square  
 Cleveland, OH 44114-1291  
 216-566-5500  
 Fax: 216-566-5800  
 Email: brenna.fasko@thompsonhine.com  
**ATTORNEY TO BE NOTICED**

**Elizabeth B. Wright**  
 Thompson Hine - Cleveland  
 3900 Key Tower  
 127 Public Square  
 Cleveland, OH 44114  
 216-566-5500  
 Fax: 216-566-5800  
 Email:  
 elizabeth.wright@thompsonhine.com  
**ATTORNEY TO BE NOTICED**

Date Filed	#	Docket Text
11/14/2022	<a href="#"><u>1</u></a>	<b>Notice of Removal</b> from Lorain County Common Pleas, case number 22CV207195 with jury demand, Filing fee paid \$ 402, receipt number AOHND-11710412. Filed by Dolgen Midwest, LLC. (Attachments: # <a href="#"><u>1</u></a> Civil Cover Sheet, # <a href="#"><u>2</u></a> Exhibit 1 - Summons and Complaint, # <a href="#"><u>3</u></a> Exhibit 2 - Complaint without missing page, # <a href="#"><u>4</u></a> Exhibit 3 - State Court

		Notice of Notice of Removal, # <a href="#">5</a> Exhibit 4 - Financial Information). (Wright, Elizabeth) (Entered: 11/14/2022)
11/14/2022	<a href="#">2</a>	Corporate Disclosure Statement identifying Corporate Parent Dollar General Corporation for Dolgen Midwest, LLC, filed by Dolgen Midwest, LLC. (Wright, Elizabeth) (Entered: 11/14/2022)
11/14/2022	<a href="#">3</a>	<b>Motion</b> for attorney Travis C. Gunn to Appear Pro Hac Vice. Filing fee \$ 120, receipt number AOHND-11710467, filed by Defendant Dolgen Midwest, LLC. (Attachments: # <a href="#">1</a> Declaration in Support of Gunn PHV). (Wright, Elizabeth) (Entered: 11/14/2022)
11/14/2022	<a href="#">4</a>	<b>Motion</b> for attorney Trent Taylor to Appear Pro Hac Vice. Filing fee \$ 120, receipt number AOHND-11710490, filed by Defendant Dolgen Midwest, LLC. (Attachments: # <a href="#">1</a> Declaration in Support of Taylor PHV). (Wright, Elizabeth) (Entered: 11/14/2022)
11/14/2022	<a href="#">5</a>	<b>Motion</b> for leave to file exhibit under partial seal, filed by Defendant Dolgen Midwest, LLC. (Wright, Elizabeth) (Entered: 11/14/2022)
11/14/2022		Judge James S. Gwin assigned to case. (L,MI) (Entered: 11/14/2022)
11/14/2022		Random Assignment of Magistrate Judge pursuant to Local Rule 3.1. In the event of a referral, case will be assigned to Magistrate Judge Thomas M. Parker. (L,MI) (Entered: 11/14/2022)
11/14/2022	<a href="#">6</a>	Magistrate Consent Form issued. (L,MI) (Entered: 11/14/2022)
11/16/2022	<a href="#">7</a>	Supplement to <b>Motion</b> for attorney Travis C. Gunn to Appear Pro Hac Vice; <b>Motion</b> for attorney Trent Taylor to Appear Pro Hac Vice, filed by Dolgen Midwest, LLC. (Related document(s) <a href="#">3</a> , <a href="#">4</a> ). (Attachments: # <a href="#">1</a> Exhibit A - Declaration of R. Trent Taylor, # <a href="#">2</a> Exhibit B - Declaration of Travis C. Gunn) (Wright, Elizabeth) (Entered: 11/16/2022)
11/21/2022		<b>Order</b> [non-document] granting Motion for appearance pro hac vice by attorney Travis C. Gunn for Dolgen Midwest, LLC. Local Rule 5.1(c) requires that attorneys register for NextGen CM/ECF and file and receive all documents electronically. NextGen CM/ECF registration can be done online at www.pacer.gov. Login with your PACER credentials, go to the Maintenance tab, click Attorney Admissions/E-File Registration, select Ohio Northern District Court and then select Pro Hac Vice. <b>If you were previously granted pro hac vice status and are already registered to file electronically, it is not necessary to register again.</b> Judge James S. Gwin on 11/21/22. (Related Doc # <a href="#">3</a> )(T,A) (Entered: 11/21/2022)
11/21/2022		<b>Order</b> [non-document] granting Motion for appearance pro hac vice by attorney R. Trent Taylor for Dolgen Midwest, LLC. Local Rule 5.1(c) requires that attorneys register for NextGen CM/ECF and file and receive all documents electronically. NextGen CM/ECF registration can be done online at www.pacer.gov. Login with your PACER credentials, go to the Maintenance tab, click Attorney Admissions/E-File Registration, select Ohio Northern District Court and then select Pro Hac Vice. <b>If you were previously granted pro hac vice status and are already registered to file electronically, it is not necessary to register again.</b> Judge James S. Gwin on 11/21/22. (Related Doc # <a href="#">4</a> )(T,A) (Entered: 11/21/2022)
11/21/2022	<a href="#">8</a>	<b>Motion</b> to dismiss for failure to state a claim filed by Defendant Dolgen Midwest, LLC. (Attachments: # <a href="#">1</a> Memorandum in Support, # <a href="#">2</a> Exhibit A - SOP 88 (Customer Overcharges))(Wright, Elizabeth) (Entered: 11/21/2022)
11/21/2022	<a href="#">9</a>	<b>Answer</b> to Complaint with Jury Demand (Related Doc # <a href="#">1</a> ) filed by Dolgen Midwest, LLC. (Wright, Elizabeth) (Entered: 11/21/2022)
11/28/2022	<a href="#">10</a>	<b>Case Management Conference Scheduling Order</b> signed by Judge James S. Gwin on 11/28/22 setting a case management conference on 1/11/2023 at 12:00 PM to be held by video conference (Cleveland) before Judge James S. Gwin. This Court requires the

		attendance of (1) all parties, (2) lead counsel, and (3) a representative with full authority for settlement purposes. (Attachments: # <a href="#">1</a> Parties' Planning Meeting Report, # <a href="#">2</a> Local Rule 30.1)(T,A) (Entered: 11/28/2022)
12/02/2022	<a href="#">11</a>	Unopposed <b>Motion</b> for extension of time until 01/09/2023 to file response/reply to <a href="#">8</a> <b>Motion</b> to dismiss for failure to state a claim filed by Plaintiff Norman Husar. Related document(s) <a href="#">8</a> . (Flick, Brian) (Entered: 12/02/2022)
12/08/2022		<b>Order</b> [non-document] entered by Judge James S. Gwin on 12/8/22 granting plaintiff's <a href="#">11</a> Unopposed <b>Motion</b> for extension of time until 01/09/2023 to file response/reply to <a href="#">8</a> <b>Motion</b> to dismiss for failure to state a claim . No further extensions. (T,A) (Entered: 12/08/2022)
01/02/2023	<a href="#">12</a>	Preliminary Estimate/Budget of Amount of Fees and Expenses filed by Norman Husar. Related document(s) <a href="#">10</a> .(Flick, Brian) (Entered: 01/02/2023)

PACER Service Center			
Transaction Receipt			
01/04/2023 10:06:25			
PACER Login:	merinolawpc	Client Code:	07457-Button
Description:	Docket Report	Search Criteria:	1:22-cv-02044-JG
Billable Pages:	3	Cost:	0.30



**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF OHIO  
EASTERN DIVISION**

**NORMAN HUSAR**, on behalf of himself  
and those similarly situated,

Plaintiff(s),

v.

**DOLGEN MIDWEST, LLC**  
d/b/a DOLLAR GENERAL

Defendant.

**Case Number** \_\_\_\_\_

**NOTICE OF REMOVAL**

Pursuant to 28 U.S.C. §§ 1332, 1441, 1446, and 1453, as well as the Class Action Fairness Act (“CAFA”), Defendant Dolgen Midwest, LLC (“Dollar General” or “Defendant”) removes the above-entitled action from the Lorain County Court of Common Pleas, Lorain County, Ohio, to the United States District Court for the Northern District of Ohio, Eastern Division, on the grounds of original jurisdiction under CAFA. In support of this Notice of Removal, and in accordance with 28 U.S.C. § 1446, Dollar General states as follows:

**PROCEDURAL BACKGROUND**

1. Plaintiff Norman Husar, a citizen and resident of Ohio, filed a complaint in the Lorain County Court of Common Pleas, Lorain County, Ohio, on October 11, 2022, captioned *Norman Husar v. Dolgen Midwest, LLC d/b/a Dollar General*, Case No. 22-cv-207195 (“State Court Action”).

2. On October 14, 2022, process of this complaint was served on Dollar General’s registered agent.

# EXHIBIT 4

IN THE COURT OF COMMON PLEAS  
BUTLER COUNTY, OHIO

STATE OF OHIO ex rel.	)	
ATTORNEY GENERAL	)	CASE NO.
DAVE YOST	)	
30 E. Broad Street, 14th Floor	)	JUDGE
Columbus, Ohio 43215	)	
	)	
Plaintiff,	)	
v.	)	COMPLAINT AND REQUEST FOR
	)	DECLARATORY JUDGMENT,
DOLLAR GENERAL CORPORATION	)	INJUNCTIVE RELIEF,
d/b/a DOLLAR GENERAL	)	CONSUMER RESTITUTION, AND
100 Mission RDG	)	CIVIL PENALTIES
Goodlettsville, TN 37072	)	
	)	
Defendant.	)	

**JURISDICTION AND VENUE**

1. Plaintiff, State of Ohio, through Attorney General Dave Yost, having reasonable cause to believe that violations of Ohio's consumer protection laws have occurred, brings this action in the public interest and on behalf of the State of Ohio under the authority vested in the Attorney General by R.C. 1345.07.
2. The actions of Defendant Dollar General Corporation, as described below, have occurred in Ohio, including in Butler County, and, as set forth below, are in violation of the Consumer Sales Practices Act ("CSPA"), R.C. 1345.01 et seq., and its Substantive Rules, Ohio Administrative Code ("O.A.C") 109:4-3-01 et seq.
3. Jurisdiction over the subject matter of this action lies with this Court pursuant to R.C. 1345.04 of the CSPA.
4. This Court has venue to hear this case pursuant to Ohio Civ. R. 3(C)(3) because Butler County is one of the Ohio counties in which the Defendant conducted activity that gave rise to the claim for relief.



**DEFENDANT**

5. Defendant is a Tennessee corporation that has been registered with the Tennessee Secretary of State since May 29, 1998.
6. Defendant's principal place of business is 100 Mission RDG, Goodlettsville, Tennessee 37072.
7. Defendant engaged in consumer transactions using the name Dollar General.
8. Defendant registered the trade name, Dollar General, with the Ohio Secretary of State on March 2, 2015.
9. Defendant is a "supplier," as that term is defined in R.C. 1345.01(C), as Defendant engaged in the business of effecting "consumer transactions," either directly or indirectly, by soliciting or selling goods or services to "consumers" for purposes that were primarily for personal, family or household use, as those terms are defined in R.C. 1345.01(A), (C) and (D).

**STATEMENT OF FACTS**

10. Defendant has been at all times relevant to this action engaged in the business of selling consumer goods in the State of Ohio, including in Butler County.
11. Defendant offers sales of household goods at multiple store locations throughout Ohio using advertisements on their shelves to display the price of goods.
12. When the goods are scanned for purchase at the register, the price that is charged to the consumer is different than the price advertised on the shelf.
13. Consumers are damaged when they pay prices higher than the advertised price, whether they realize the pricing difference at the point of sale or not.

**CAUSE OF ACTION: VIOLATIONS OF THE CSPA**

**Count I – Unfair and Deceptive Acts and Practices**

14. Plaintiff incorporates by reference, as if completely rewritten herein, the allegations set forth in Paragraphs One through Thirteen (1-13) of this Complaint.
15. Defendant committed unfair or deceptive acts or practices in violation of the CSPA, R.C. 1345.02(A) and R.C. 1345.02(B)(8), by representing that a specific price advantage exists, if it does not.
16. The acts or practices described above have been previously determined by Ohio courts to violate the CSPA, R.C. 1345.01 et seq. Defendants committed said violations after such decisions were available for public inspection pursuant to R.C. 1345.05(A)(3).

**Count II - Bait Advertising**

17. Plaintiff incorporates by reference, as if completely rewritten herein, the allegations set forth in Paragraphs One through Thirteen (1-13) of this Complaint.
18. Defendant committed unfair or deceptive acts or practices in violation of the CSPA, R.C. 1345.02(A), and the Bait Advertising Rule, O.A.C. 109:4-3-03, by making offers of sales of goods when such offers are not a bona fide effort to sell such a good.

**PRAYER FOR RELIEF**

WHEREFORE, Plaintiff respectfully requests that this Court grant the following relief:

- A. DECLARE, pursuant to R.C. 1345.07(A)(1), that each act or practice complained of herein violates the CSPA, R.C. 1345.01 et seq., and its Substantive Rules, O.A.C. 109:4-3-01 et seq., in the manner set forth in this Complaint.

- B. ISSUE A PERMANENT INJUNCTION, pursuant to R.C. 1345.07(A)(2), enjoining Defendant, doing business under its own name or any other names, its agents, representatives, salespersons, employees, successors, or assigns, and all other persons acting in concert and participation with Defendant, directly or indirectly, from engaging in the acts or practices of which Plaintiff complains and from further violating the CSPA, R.C. 1345.01 et seq., and its Substantive Rules, O.A.C. 109:4-3-01 et seq., including, but not limited to, violating the specific statutes and rules alleged to have been violated herein.
- C. ASSESS, FINE, AND IMPOSE upon Defendant a civil penalty of \$25,000 for each separate and appropriate violation described herein, pursuant to R.C. 1345.07(D).
- D. ORDER Defendant, pursuant to R.C. 1345.07(B), to pay actual damages to all consumers injured by the conduct of Defendant.
- E. ISSUE AN INJUNCTION prohibiting Defendant from engaging in business as a supplier in any consumer transaction in Ohio until such time as Defendant has satisfied all monetary obligations ordered by this Court or any other Ohio court, in connection with a consumer transaction.
- F. GRANT the Plaintiff its costs in bringing this action including, but not limited to, the costs of collecting on any judgment awarded.
- G. ORDER Defendant to pay all court costs.
- H. GRANT such other relief as the Court deems to be just, equitable, and appropriate.

Respectfully submitted,

DAVE YOST  
Ohio Attorney General

/s/ Lisa M. Treleven  
LISA M. TRELEVEN (0086628)



Assistant Attorney General  
Consumer Protection Section  
411 Vine Street, 17th Floor  
Cincinnati, Ohio 45202  
(513)852-1527 (phone)  
(866)347-2545 (fax)  
Lisa.Treleven@OhioAGO.gov  
Counsel for Plaintiff, State of Ohio

CV 2022 11 1812 OHIO ATTORNEY GENERAL vs. DOLLAR GENERAL CORPORATION et al -OSTER

- Case Type: CIVIL - GENERAL
- Case Status: Open
- File Date: 11/01/2022
- DCM Track:
- Action:
- CONSUMER SALES PRACTICES ACT-TRANSACTIONS O.R.C. 1345.01>13 (H)
- Status Date: 11/01/2022
- Case Judge: Oster Jr., Honorable Michael A.
- Next Event: 01/12/2023


All Information Party Event Docket Disposition Financial Receipt

Docket Information

Date	Docket Text	Amount	Image	Owed Avail.
11/01/2022	FUNDS ON DEPOSIT FOR COURT COST.	\$0.00		
11/01/2022	INSTRUCTIONS TO THE CLERK: Mail a certified copy of the complaint to the Attorney General's Consumer Protection Division pursuant to ORC 1345.09(E).			
11/01/2022	General Division Special Projects Fee pursuant to Local Rule 4.13.	\$165.00		
11/01/2022	Legal aid fees pursuant to ORC 2303.210 (C).	\$26.00		
11/01/2022	General Division Arbitration/Mediation Special Project Fee pursuant Local Rule 4.12.	\$30.00		
11/01/2022	Clerk of Courts Computerization Fee pursuant to ORC 2303.201 (B)(1).	\$20.00		
11/01/2022	Court Computerization Fee pursuant to ORC 2303.201 (A)(1).	\$6.00		
11/01/2022	Complaint & Filing fee for each cause of action ORC 2303.20(A).	\$25.00		
11/01/2022	NOTICE OF APPEARANCE FILED	\$2.00		
11/01/2022	PRECPIPE FOR SERVICE	\$0.00		
11/01/2022	Attorney: TRELIVEN, LISA (0086628)			
11/01/2022	SERVICE COPIES	\$1.00		

<u>Date</u>	<u>Docket Text</u>	<u>Amount Owed</u>	<u>Image Avail.</u>
11/02/2022	AMENDED COMPLAINT FILED Attorney: TRELEVEN, LISA (0086628)	\$35.00	 <a href="#">Image</a>
11/02/2022	PRECIPE FOR SERVICE Attorney: TRELEVEN, LISA (0086628)	\$0.00	 <a href="#">Image</a>
11/02/2022	PRECIPE FOR SERVICE Attorney: TRELEVEN, LISA (0086628)	\$0.00	 <a href="#">Image</a>
11/02/2022	SERVICE COPIES	\$1.00	
11/04/2022	ELECTRONIC CERTIFIED MAIL COVERSHEET (IMPB BARCODE)	\$6.00	 <a href="#">Image</a>
11/04/2022	Issue Date: 11/04/2022 Service: SUMMONS BY CERTIFIED MAIL Method: E-CERTIFIED MAIL (w/ ERR) Cost Per: \$0.00  DOLLAR GENERAL CORPORATION C/O DOLGEN MIDWEST LLC 100 MISSION RIDGE GOODLETTSVILLE, TN 37072 Tracking No: Z000058287	\$0.00	
11/04/2022	SUMMONS ON COMPLAINT BY CERTIFIED MAIL ISSUED.  SUMMONS ON COMPLAINT BY CERTIFIED MAIL Sent on: 11/04/2022 15:48:35.56	\$1.00	 <a href="#">Image</a>
11/04/2022	ELECTRONIC CERTIFIED MAIL COVERSHEET (IMPB BARCODE)	\$6.00	 <a href="#">Image</a>
11/04/2022	Issue Date: 11/04/2022 Service: COPY BY CERTIFIED MAIL Method: E-CERTIFIED MAIL (w/ ERR) Cost Per: \$0.00  STATE OF OHIO CONSUMER SALES PROTECTION DIVISION 30 E BROAD STREET COLUMBUS, OH 43215 Tracking No: Z000058288	\$0.00	
11/04/2022	COPY BY CERTIFIED MAIL ISSUED.  COPY ISSUED BY CERTIFIED MAIL Sent on: 11/04/2022 15:51:14.99	\$0.00	 <a href="#">Image</a>
11/07/2022	ELECTRONIC CERTIFIED MAIL COVERSHEET (IMPB BARCODE)	\$12.00	 <a href="#">Image</a>



<u>Date</u>	<u>Docket Text</u>	<u>Amount Owed</u>	<u>Image Avail.</u>
11/07/2022	<p>Issue Date: 11/07/2022  Service: SUMMONS ON AMENDED COMPLAINT  Method: E-CERTIFIED MAIL (w/ ERR)  Cost Per: \$0.00</p> <p>DOLLAR GENERAL CORPORATION  C/O DOLGEN MIDWEST LLC  100 MISSION RIDGE  GOODLETTSVILLE, TN 37072  Tracking No: Z000058300</p> <p>DOGEN MIDWEST LLC  C/O CORPORATION SERVICE COMPANY  3366 RIVERSIDE DR STE 103  UPPER ARLINGTON, OH 43221  Tracking No: Z000058301</p>	\$0.00	
11/07/2022	<p>SUMMONS ON AMENDED COMPLAINT ISSUED.</p> <p>AMENDED SUMMONS  Sent on: 11/07/2022 09:20:48.95</p>	\$1.00	 <a href="#">Image</a>
11/15/2022	<p>RETURN RECEIPT OF CERTIFIED MAIL OF  Method : E-CERTIFIED MAIL (w/ ERR)  Issued : 11/07/2022  Service : SUMMONS ON AMENDED COMPLAINT  Served : 11/09/2022  Return : 11/15/2022  On : DOGEN MIDWEST LLC  Signed By : WILLIAM P</p> <p>Reason : CERTIFIED MAIL SERVICE SUCCESSFUL  Comment :</p> <p>Tracking # : Z000058301</p>	\$0.00	 <a href="#">Image</a>
12/02/2022	<p>COURT ADMINISTRATION OFFICE HAS SCHEDULED:  Event: STATUS REPORT HEARING  Date: 01/12/2023 Time: 9:50 am  Judge: Oster Jr., Honorable Michael A. Location: General Division  Court, GSC 3rd Floor, Courtroom A</p>		
12/02/2022	<p>COURT ADMINISTRATION OFFICE ISSUED NOTICE TO REPORT</p> <p>NOTICE TO REPORT OSTER  Sent on: 12/02/2022 12:21:12.13</p>	\$2.00	 <a href="#">Image</a>
12/06/2022	<p>STIPULATION FOR EXTENSION OF TIME TO RESPOND  AMENDED COMPLAINT AND REQUEST FOR DECLARATORY  RELIEF, CONSUMER  RESTITUTION, AND CIVIL PENALTIES FILED  Attorney: MOORE, BRANDON P (0092716)</p>	\$0.00	 <a href="#">Image</a>

<u>Date</u>	<u>Docket Text</u>	<u>Amount Owed</u>	<u>Image Avail.</u>
12/06/2022	APPEARANCE OF COUNSEL FILED Attorney: MOORE, BRANDON P (0092716) Receipt: 1037669 Date: 12/06/2022	\$2.00	 <a href="#">Image</a>
12/07/2022	RETURN RECEIPT OF CERTIFIED MAIL OF Method : E-CERTIFIED MAIL (w/ ERR) Issued : 11/04/2022 Service : SUMMONS BY CERTIFIED MAIL Served : 11/15/2022 Return : 12/07/2022 On : DOLLAR GENERAL CORPORATION Signed By : ILLEGIBLE  Reason : CERTIFIED MAIL SERVICE SUCCESSFUL Comment :  Tracking # : Z000058287	\$0.00	 <a href="#">Image</a>
12/08/2022	RETURN RECEIPT OF CERTIFIED MAIL OF Method : E-CERTIFIED MAIL (w/ ERR) Issued : 11/04/2022 Service : COPY BY CERTIFIED MAIL Served : 11/17/2022 Return : 12/08/2022 On : STATE OF OHIO Signed By : JOHN ANDERSON  Reason : CERTIFIED MAIL SERVICE SUCCESSFUL Comment :  Tracking # : Z000058288	\$0.00	 <a href="#">Image</a>

# EXHIBIT 5









1/15/25 16:55:53 08104



Land O Lakes  
Yogurt  
Strawberry  
6 OZ

Item Price

3/\$2

0345-0063-5493  
1/22

F-6  
F1

Unit Price

11.2¢

Land O Lakes  
Yogurt  
Vanilla  
6 OZ

Item Price

3/\$2

0345-0063-5356  
1/22

F-6  
F1

Unit Price

11.2¢

Land O Lakes  
Yogurt  
Strawberry Banana  
6 OZ

Item Price

1/\$2

523

F-6  
F1

Unit Price

11.2¢



**DOLLAR GENERAL**

DOLLAR GENERAL STORE #14321  
 1334 STATE ROUTE 178  
 WHITE LAKE, NY 12786  
 (845) 887-0225

**SALE TRANSACTION**

LOL LF VANILLA YOGURT	\$0.75
34500635493	
LOL LF VANILLA YOGURT	\$0.75
34500635493	
LOL LF VANILLA YOGURT	\$0.75
34500635493	
LOL HALF HALF ESL	\$4.00
34500632027	

Items In Transaction: 4  
 Balance to pay  
 MasterCard

\$6.25  
 \$6.25

**PAYMENT CARD PURCHASE TRANSACTION**  
**CUSTOMER COPY**

MASTERCARD  
 Type: MOBILE  
 MID: \*\*\*\*\*27013  
 TOTAL PURCHASE  
 \*\*\*\*\*8142  
 Auth Code: 77041P  
 TID: \*\*\*\*\*6000  
 \$6.25

No Cardholder Verification

Please retain for your records

Save Time. Save Money.  
 Every Day! At Dollar General

STORE	TILL	TRANS.	DATE
14321	11	34087	12-11-22 1:43 PM

Your cashier was: SC0



0999021432101103408710



# EXHIBIT 6

A 9810

## DEPARTMENT OF WEIGHTS AND MEASURES

145 Paul Road, Bldg 2, Rochester, New York 14624

Telephone: 585-753-7933

☐ RETEST☐ RETEST REQUIRED

FIRM <b>Dollar General</b>	STORE NO. <b>19235</b>	DATE <b>11-30-2022</b>
ADDRESS <b>1001 Culver Road</b>	MAIN CONTACT	
TOWN/CITY <b>Rochester</b>	ZIP CODE <b>14609</b>	E-MAIL ADDRESS

☐ SUPERMARKET    ☐ FOOD STORE/DELI    ☐ FISH/BUTCHER    ☒ PRICE ACCURACY    ☐ BAKERY    ☐ DRUG    ☐ HARDWARE  
☐ GAS STATION    ☐ GAS STATION/STORE    ☐ VARIETY    ☐ FUEL OIL DEALER    ☐ PROCESS/WARE/MANUF.    ☐ OTHER

DEVICE TYPE	TOTAL NO.	VISUAL INSPECTION				DEVICE TEST							FEES		
		FOUND CORRECT	CORRECTED	OTHER	NOT SEALED	PLUS	MINUS	OTHER	ORDERED REPAIRED	CON- DENMED	NO CORRECT	TOTAL NO.	AMOUNT	TOTAL	
COMPUTING SCALE															
PRE - PACK SCALE															
CUSTOMER SCALE															
VEHICLE SCALE															
RACK METER															
PRESCRIPTION SCALE															
Hopper/Batch TANK SCALE															
PLATFORM SCALE															
MISC. SCALE															
PETROLEUM PUMPS															
WEIGHTS															
LINEAR MEASURE															
LINEAR DEVICE															
TIMING DEVICE															
VEHICLE TANK METER															
LIQUID MEAS. DEVICE															
TAXI METER															
THIS AMOUNT PAYABLE IN 30 DAYS FROM ABOVE DATE. FAILURE TO PAY PROMPTLY MAY RESULT IN A CIVIL FINE.											GRAND TOTAL				

Devices listed below require repair or adjustment.

Manuf.	Model No.	Serial No.

- ☐ Notify Director of Weights and Measures when ready for retesting.  
☐ "For Customer Use" sign required on or near a computing customer scale.  
☐ Customer scale required must be easily accessible.  
☐ Price signs must be posted on every pump or dispenser.  
☐ Security seals on all approved devices applied on \_\_\_\_\_  
☐ Product used in testing as shown on this form was returned to proper storage tank, as instructed by operator.

GALLONS PUMPED			
REGULAR		DIESEL	
MID GRADE		KERO	
PREMIUM NOLEAD			

MAIL TO: Monroe County Dept of Weights & Measures  
145 Paul Rd, Bldg 2  
Rochester, New York 14624

MAKE CHECK PAYABLE TO: County of Monroe - Director of Finance

REMARKS:

Price Accuracy Inspection

Left copy of price accuracy document with Manager.  
Tested price of 75 items, found 24 errors (68% correct).

(1) under charge and (23) overcharges

(24) products found without retail price, Overcharge Policy not posted. Corrections being made at departure.

ACKNOWLEDGED BY: <i>Handwritten Signature</i>	INSPECTOR: <i>Agent / Knight / Millman</i>
--	---

It is the user's responsibility to maintain the accuracy of all weighing and measuring devices. All devices must start at zero and all indications displayed must be in agreement. Notify the Director immediately in writing of any new or reconditioned weighing and measuring device, which will be used commercially. All standards used are traceable to the national standards at NIST.

WHITE - DEPARTMENT'S COPY

CANARY - INVOICE

PINK - OFFICE COPY

GOLDENROD - CUSTOMER'S COPY

## Monroe County Weights &amp; Measures

Date: 11-30-22  
 Firm: Dollar General #19235  
 Address: 1004 Culver Rd  
 Town/City: Rochester

145 Paul Road - Building 2  
 Rochester, New York 14624  
 Phone: (585) 753-7933

Report # A9810  
 Page 1 of 1  
 Over Charge Refund Policy Posted  
 Yes ☐ No ☒

Qty.	Products/SKU's Found	Missing Retail Price	Location
15	7.5oz Coke 6 Pack 049000061017		Doorway Island
11	CV 1gal water 02751010770		Wall Cooler
11	Pepsi 12 Pack 02000809941		Aisle 12 End Cap
11	Sublist Singles 072392324064		Aisle 2 End Cap
32	Pork Crackin Straps		Aisle 2 Rack MK
19	Sparkling White Grape Juice 041800715008		Aisle 3 End Cap
11	CV Vanilla Sandwich Dessert 070640023462		Ice Cream Freezer
12	Brillo Eraser Wipe 070881562621		Aisle 15 End Cap
6	Cascade Platinum 037000274742		Aisle 15 Dish Soap
4	Denny Rinse & Refresh 037000879152		Aisle 15
9	Mean Green Cleaner 720547001000		Aisle 16
7	Sparkling Ice Cherry Vanilla 016571955144		Back Wall
23	Sanitizer Wipes 8681242204023		Aisle 17 End Cap
3	Spray Wipe 07717482		Aisle 18 End Cap
2	Pastery Mat 672125061176		Aisle 18
15	Party Game 011179361069		Aisle 18 End
3	Vintage Light Bulb 430001370411		Aisle 19 J Hook
12	Pine Glo 076061211518		Aisle 20 End Cap
5	Heavy Duty Shower Liner 43001713256		Aisle 20
5	20in RainX Wiper Blade 079118004200		Aisle 21 End Cap
4	Radio Alarm Clock 841351166966		Aisle 20
5	Magik Brush 070982023007		Aisle 20
3	Huggies Snuggly Dry 036000514728		Aisle 10
6	Bella Curls 82368100432		Aisle 24 End Cap
4	Twister Rollers 12-Pack 190425105234		Aisle 24

Acknowledged By: SLInspector(s): Knight / Agent / Millman



## Monroe County Weights &amp; Measures

Date: 11/30/22  
 Firm: Dollar GENERAL #19235  
 Address: 1004 culver rd.  
 Town/City: Rochester N.Y. 14609

145 Paul Road - Building 2  
 Rochester, New York 14624  
 Phone: (585) 753-7933

Report # A9810  
 Page 1 of 3

Over Charge Refund Policy Posted  
 Yes ☐ No ☒

	Item	Qty.	UPC	Area	Offered Price	Reg.	Error
1	Nut HARVEST CH. STICKS	11			\$1.95	\$1.95	—
2	CORE POWER	20	811620021968	11	\$3.00	\$3.25	+ 25¢
3	2% MILK	14			\$3.75	\$3.75	—
4	Lipton ICE TEA	8	1200011223	11	\$1.00	\$1.10	+ 10¢
5	Simple smart cheese Nect.	12			\$1.25	\$1.25	—
6	Caramel / Wagon Delight	10			\$3.00	\$3.00	—
7	Tyson Grilled & Ready	9			\$10.95	\$10.95	—
8	Yummy Ding Buddies	8			\$6.25	\$6.25	—
9	Gatorade	14	052000043280	11	\$1.35	\$1.45	+ 10¢
10	Birds eye GREEN BEANS	4			\$1.00	\$1.00	—
11	Lucky Charms BARS	9			\$3.85	\$3.85	—
12	HAWAIIAN Punch Polar Blast	3			\$2.65	\$2.65	—
13	Town House Pasta	9			\$3.85	\$3.85	—
14	chev mix cheddar	10	016000158405	10	\$2.65	\$2.75	+ 10¢
15	Pringles Pizza	6			\$2.00	\$2.00	—
16	MTN Dew 20oz	7			\$2.35	\$2.35	—
17	Vibe ear buds	3			\$10.00	\$10.00	—
18	Little Debbie cosmic brownies	7			\$4.00	\$4.00	—
19	white bread	14			\$1.75	\$1.75	—
20	crunch & munch	12			\$1.00	\$1.00	—
21	Iola Hula scalloped	9			\$1.85	\$1.85	—
22	canned chicken breast	22	5100018806	13	\$3.65	\$4.00	+ 35¢
23	crushed Tomatoes	15			\$1.75	\$1.75	—
24	Broom	8			\$6.00	\$6.00	—
25	Dish brush	5			\$3.00	\$3.00	—

Acknowledged By: [Signature]

Inspector(s): Knight / Agent / MILLMAN

## Monroe County Weights &amp; Measures

Date: 11/30/22  
 Firm: Dollar General #19235  
 Address: 1004 Culver Rd.  
 Town/City: Rochester N.Y. 14609

145 Paul Road - Building 2  
 Rochester, New York 14624  
 Phone: (585) 753-7933

Report # A9810  
 Page 2 of 3

Over Charge Refund Policy Posted  
 Yes ☐ No ☒

	Item	Qty.	UPC	Area	Offered Price	Reg.	Error
1	DAWN Power wash	7			\$5.00	\$5.00	—
2	Air wick oil	3	062338955513	15	\$7.75	\$8.00	+25¢
3	GLAD FORCE FLEX	5			\$5.95	\$5.95	—
4	Pine-Sol	9			\$4.00	\$4.00	—
5	Pepsi 2 liter	25			\$2.50	\$2.50	—
6	Smart water 700 mill	6	786162001511	Back wall	\$1.50	\$1.65	+15¢
7	T-lights 10 ct.	25	430001182414	18	\$1.00	\$2.00	+1.00
8	Cookie cutters Donut	4	672125069448	18	\$3.00	\$5.00	+2.00
9	9 in. Plates	3			\$1.00	\$1.00	—
10	2 ct. crystal clear light bulb	9			\$5.00	\$5.00	—
11	Gorilla Epoxy	2	052427420015	19	\$7.50	\$6.75	-75¢
12	Toilet bowl cleaner	3			\$1.00	\$1.00	—
13	Drive MXP oil	6			\$7.50	\$7.50	—
14	Brandy 2 peck	4	037000666592	BACK WALL	\$5.50	\$6.25	+75¢
15	Lint Roller 1000 count	4	075982003078	20	\$5.00	\$6.00	+1.00
16	BATH Towel	1			\$2.00	\$2.00	—
17	MIRROR	2			\$10.00	\$10.00	—
18	Grill pan	3			\$14.00	\$14.00	—
19	Red cups	16			\$4.00	\$4.00	—
20	Rolling pin	2			\$6.00	\$6.00	—
21	Angel soft	8			\$5.95	\$5.95	—
22	Plushable Wipes	3			\$4.75	\$4.75	—
23	Puffs	24			\$2.00	\$2.00	—
24	infant bottles	1			\$1.00	\$1.00	—
25	Gerber Rice	7	01500007041	10	\$2.90	\$3.00	+10¢

Acknowledged By: A [Signature]

Inspector(s): Knight / Agent / [Signature]



## Monroe County Weights &amp; Measures

Date: 11/30/22  
 Firm: Dollar General #19235  
 Address: 1504 Culver Rd  
 Town/City: Rochester N.Y. 14609

145 Paul Road - Building 2  
 Rochester, New York 14624  
 Phone: (585) 753-7933

Report # A9810  
 Page 3 of 3

Over Charge Refund Policy Posted  
 Yes ☐ No ☒

	Item	Qty.	UPC	Area	Offered Price	Reg.	Error
1	LUVS size 2	6	0376 0085 9239	10	\$7.75	\$8.00	+25¢
2	BABY oil	7	07278513 6649	10	\$3.95	\$4.00	+5¢
3	Aussie curls	3			\$5.00	\$5.00	—
4	ORS olive oil	9			\$7.25	\$7.25	—
5	DIAL soap	6	0176 0010 9022	24	\$1.95	\$2.00	+5¢
6	cover girl BB cream	2	02270003 3584	24	\$7.25	\$7.95	+70¢
7	Cerave face lotion	3			\$10.00	\$10.00	—
8	TOP GUN DVD	3			\$19.95	\$19.95	—
9	ZANTAC	3	6814 2103 6122	24	\$9.95	\$10.00	+5¢
10	Vitamin D3	7			\$5.00	\$5.00	—
11	BAND-AID	5	3813 7004 4314	23	\$3.35	\$3.50	+15¢
12	Playtex Sport	6			\$5.00	\$5.00	—
13	ZONE Pro mens socks	8	7308 3879 8489	9	\$6.25	\$6.50	+25¢
14	Bic pens 4ct.	3	4300 0064 9488	8	\$2.00	\$2.50	+50¢
15	offree board	7			\$6.00	\$6.00	—
16	Glue stick	6	4300 0050 8839	8	75¢	\$1.00	+25¢
17	Listerine	10			\$6.50	\$6.50	—
18	Glide floss	4			\$4.25	\$4.25	—
19	Rexall whitening strips	8			\$5.00	\$5.00	—
20	Reu Energy gum	22			\$2.50	\$2.50	—
21	Downy rinse	9			\$6.95	\$6.95	—
22	MENTOS	15	0733 9002 9883	check out	95¢	\$1.00	+5¢
23	X-MAS ornaments	12			\$3.00	\$3.00	—
24	Chewy bars	14	6300 0057 5284	6	\$5.00	\$5.50	+50¢
25	Haribo Pecches	10			\$2.50	\$2.50	—

Acknowledged By: X

Inspector(s): Knight / Agent / mcmann



New York State  
Department of Agriculture and Markets  
Bureau of Weights and Measures  
10B Airline Drive, Albany, NY 12235  
518-457-3452

- ☒ Routine Inspection
- ☐ Complaint
- ☐ Retest
- ☐ Retest Required

[www.agriculture.ny.gov](http://www.agriculture.ny.gov)

No. **047193**

DEVICE INSPECTION AND TEST REPORT

County/City Jurisdiction <b>Washington</b>	Date <b>12-5-22</b>
Establishment Name <b>Dollar General</b>	Store No. <b>21449</b>
Address <b>123 Rowe Hill Rd</b>	Telephone No. <b>518-632-8010</b>
Town/City <b>Hartford, NY</b>	Zip Code <b>12838</b>

- |   |  |  |  |  |  |  |
|---|--|--|--|--|--|--|
| <input type="checkbox"/> Supermarket    | <input type="checkbox"/> Food Store Deli | <input type="checkbox"/> Farm/Produce      | <input type="checkbox"/> Fish/Butcher  | <input type="checkbox"/> Candy/Nuts        | <input type="checkbox"/> Bakery                      | <input type="checkbox"/> Drug Store      |
| <input type="checkbox"/> Hardware Store | <input type="checkbox"/> Gas Station     | <input type="checkbox"/> Gas Station Store | <input type="checkbox"/> Marina        | <input type="checkbox"/> Airport           | <input checked="" type="checkbox"/> Variety/Multiple | <input type="checkbox"/> Fuel Oil Dealer |
| <input type="checkbox"/> LPG            | <input type="checkbox"/> Proc/Ware/Mfr   | <input type="checkbox"/> Asphalt/Salvage   | <input type="checkbox"/> Fabric/Sewing | <input type="checkbox"/> Feed & Fertilizer | <input type="checkbox"/> Non Commercial              | <input type="checkbox"/> Other           |

Device	Total	VISUAL INSPECTION				TEST				Ordered Repaired	Condemned
		Found Correct	Corrected	Other	Not Sealed	Number Correct	Plus	Minus	Other		
Computing Scale											
Pre-Package Scale											
Customer Scale											
Prescription Scale											
Vehicle Scale											
Hop/Batch Tank Scale											
Platform Scale											
Livestock Scale											
Misc. Scale											
Petroleum Pumps											
Petroleum Meter VTM											
Rack Meters											
Liquid Measures											
Volume Measures											
Weights Pharmacy											
Weights Other											
Linear Measure											
Linear Device											
Timing Device											
Taxi Meters											
Bulk Milk Tanks											
Misc.											

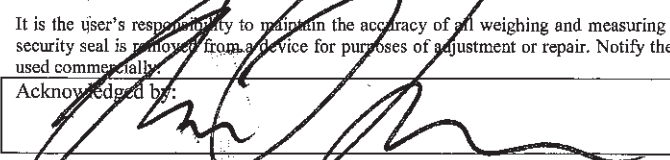
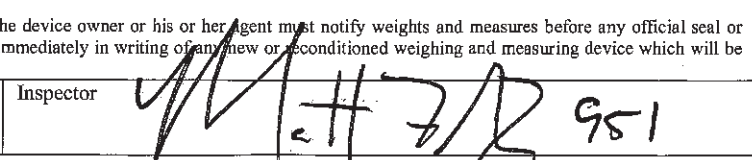
Devices listed below require repair or adjustments:		
NTEP COC#	Model	S/N

When device(s) are ready for re-test, contact Weights and Measures by:

GALLONS PUMPED AND RETURNED			
Regular		Fuel Oil	
Mid-Grade		Av Gas	
Premium		Jet A	
Diesel			
Kerosene			

Remarks:

Pricing Accuracy Inspection: 50 items scanned  
overcharges and 1 undercharge found

It is the user's responsibility to maintain the accuracy of all weighing and measuring devices. The device owner or his or her agent must notify weights and measures before any official seal or security seal is removed from a device for purposes of adjustment or repair. Notify the Director immediately in writing of any new or reconditioned weighing and measuring device which will be used commercially.	Acknowledged by: 	Inspector:  156
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## Price Verification Worksheet

Product identity	Location	Shelf Price	Charged Price	Error in Cents ±	Not on File	Comments
Utz Chips Salt and Vinegar	Outside Wall	\$3.00	\$3.25	\$0.25		Utz Chips
Utz cheddar cheese dip 3.7 oz	Outside Wall	\$1.25	\$1.50	\$0.25		
Utz Cheddar cheese dip 9 oz	Outside Wall	\$3.00	\$3.00	\$0.00		
Snickers ice cream bar	Outside Wall	\$1.75	\$1.75	\$0.00		
pepsi 16 oz	Refrigerator	\$1.00	\$1.00	\$0.00		
red bull	Refrigerator	\$2.25	\$2.25	\$0.00		
Whole Milk	Refrigerator	\$4.15	\$4.15	\$0.00		
Pringlea	Aisle 3	\$2.00	\$2.00	\$0.00		
Cashews	Aisle 3	\$6.00	\$6.00	\$0.00		
Jacks Links Beef Jerkey	Aisle 3	\$5.35	\$5.35	\$0.00		
Lipton Pure Leaf Tea	Pure Leaf	\$1.85	\$2.25	\$0.40		
Starbucks Frappuccino Vanilla	Starbucks	\$2.85	\$3.35	\$0.50		
Little Debbie Swiss Rolls	Aisle 3	\$2.55	\$2.55	\$0.00		
E L Fudge Cookies	Aisle 3	\$3.45	\$3.45	\$0.00		
Oreo Double Stuffed	Aisle 3	\$3.95	\$3.95	\$0.00		
Fruity Pebbles Family Size Cereal	Aisle 4	\$5.00	\$5.00	\$0.00		
yoplait single yogurt	Refrigerator	\$0.85	\$0.85	\$0.00		
Motta 6 pack Applesauce	Aisle 4	\$2.85	\$2.85	\$0.00		
Armour Vienna Sausage	Aisle 5	\$0.95	\$0.95	\$0.00		
Kraft Mac and Cheese	Aisle 5	\$5.50	\$5.50	\$0.00		
Frenchs Yellow Mustard	Aisle 5	\$2.15	\$2.20	\$0.05		
Knorr Pasta Side	Aisle 5	\$1.35	\$1.35	\$0.00		
Hidden Valley Ranch	Aisle 5	\$4.85	\$5.25	\$0.40		Multiple Ranch Wrong
Heinz Ketchup	Aisle 5	\$3.45	\$3.45	\$0.00		
Top Ramen 6 pk	Aisle 5	\$1.35	\$1.35	\$0.00		

Total No. Of Items Tested	25
Total over charges	6
Total Under Charges	0
Total Not on File (NOF)	0
Total NOF not charged correctly	0

## Price Verification Worksheet

2

Product identity	Location	Shelf Price	Charged Price	Error in Cents ±	Not on File	Comments
Ritz Peanut Butter bits	Aisle 6	\$3.85	\$3.85	\$0.00		
Thomas Bagels 6 pk	Aisle 6	\$4.10	\$4.10	\$0.00		
Old El Paso Kit Stand and Stuff	Aisle 6	\$3.20	\$3.25	\$0.05		
V8 Splash Juice 46 oz	Aisle 6	\$2.35	\$2.35	\$0.00		
Good 2 Grow Juice	Aisle 6	\$4.35	\$4.35	\$0.00		
Betty Crocker Milk Chocolate	Aisle 7	\$1.95	\$1.95	\$0.00		
Herr's Cheese Ball Barrel	Aisle 7	\$7.00	\$7.00	\$0.00		
Energizer Max D4	Endcap 9	\$9.30	\$9.30	\$0.00		
Body Fantasies Body Spray Cotton Candy	Aisle 11	\$3.00	\$3.25	\$0.25		
Chapstick Total Hydration	Aisle 11	\$3.00	\$3.00	\$0.00		
Believe Beauty Contour Stick Dual End	Endcap 11	\$4.50	\$5.00	\$0.50		
Liquid Lipstick	Endcap 11	\$4.50	\$4.75	\$0.25		A lot of endcap wrong
Sudafed PE	Aisle 11	\$8.50	\$8.50	\$0.00		
One a Day MultiVitamin	Aisle 11	\$5.35	\$5.35	\$0.00		
Tylenol Extra Strength 225 ct	Aisle 11	\$18.95	\$18.95	\$0.00		
Rexall Heavy Duty Insoles	Aisle 11	\$8.75	\$9.25	\$0.50		All Rexall Insoles Wrong
Dr Scholl's Insoles	Aisle 11	\$13.00	\$13.00	\$0.00		
Scent Happy Body Wash	Endcap 11	\$3.00	\$3.00	\$0.00		
Dial Body Wash	Aisle 12	\$4.75	\$4.75	\$0.00		
Rexall Oral Gel	Aisle 12	\$4.00	\$4.00	\$0.00		
Rexall Heavy Duty Bandages	Aisle 12	\$2.00	\$2.15	\$0.15		
Band Aid Extra Flex Bandages	Aisle 12	\$3.50	\$3.50	\$0.00		
Maybelline New York Nail Gel	End Aisle 12	\$2.50	\$2.75	\$0.25		All Display Wrong
Beauty Believe Nail Polish	Front Believe Beauty	\$2.50	\$3.35	\$0.85		All Nail Polish Display Wrong
Maybelline Foundation	Outside Wall	\$6.50	\$7.00	\$0.50		

Total No. Of Items Tested	25
Total over charges	9
Total Under Charges	0
Total Not on File (NOF)	0
Total NOF not charged correctly	0



## Price Verification Worksheet

3

Product identity	Location	Shelf Price	Charged Price	Error in Cents ±	Not on File	Comments
Covergirl Eyeliner	Outside Wall	\$8.00	\$8.95	\$0.95		A lot of area Wrong
Pedigree Puppy Dry Dog Food	Endcap 13	\$6.85	\$7.45	\$0.60		
Pedigree Wet Dog Food 18 ct	Endcap 13	\$14.75	\$16.95	\$2.20		Whole Endcap Wrong
Mountain Dew 2 liter	Aisle 13	\$2.50	\$2.50	\$0.00		
6 foot folding table	Endcap 13	\$45.00	\$45.00	\$0.00		
Pedigree Dog Food 12 cans	Aisle 14	\$16.75	\$20.25	\$3.50		All Pedigree Dog Food Wrong
Iams Minichunks 22 lb bag	Aisle 14	\$32.95	\$36.95	\$4.00		All Iams Dog Food Wrong
Kibbles and Bits Dog Food	Aisle 14	\$11.50	\$11.50	\$0.00		
Old Glory Dog Food	Aisle 14	\$7.00	\$7.50	\$0.50		Old Glory All Wrong
Natures Menu Dog Food	Aisle 14	\$20.00	\$20.00	\$0.00		
True Living Paper Plates	Outside Wall	\$6.95	\$6.95	\$0.00		
Airwick Refill	Endcap 15	\$5.75	\$4.31	-\$1.44		
True Living Plastic Cups	Outside Wall	\$4.00	\$4.00	\$0.00		
Premiere Cup Holder Trio	Endcap 16	\$8.00	\$8.00	\$0.00		
Comfort Bay Shower Curtain	Aisle 16	\$10.00	\$10.00	\$0.00		
True Living Meal storage	Aisle 17	\$4.50	\$4.50	\$0.00		
True Living Candle	Aisle 17	\$7.00	\$7.00	\$0.00		
Pampers Size 1	Aisle 18	\$11.00	\$11.00	\$0.00		
Luvs Size 4 29 ct	Aisle 18	\$8.00	\$8.00	\$0.00		
Good Nites Youth Pants	Aisle 18	\$11.95	\$11.95	\$0.00		
Pampers Wipes 3 pk	Aisle 18	\$6.75	\$6.75	\$0.00		
Snap back hat	Aisle 18	\$10.00	\$10.00	\$0.00		
Musical Car Baby toy	Aisle 18	\$4.65	\$4.65	\$0.00		
Housewares Hamper	Aisle 18	\$12.50	\$12.50	\$0.00		
True Living Shoe Organizer	Aisle 18	\$7.50	\$7.50	\$0.00		

Total No. Of Items Tested	25
Total over charges	6
Total Under Charges	1
Total Not on File (NOF)	0
Total NOF not charged correctly	0

## Price Verification Worksheet

4

Product identity	Location	Shelf Price	Charged Price	Error in Cents *	Not on File	Comments
True Living Clothes Line	Aisle 18	\$4.75	\$4.75	\$0.00		
Charmin Ultra Strong Bath Tissue	Outside Wall	\$20.00	\$20.00	\$0.00		
Gain Laundry Detergent	Endcap 20	\$15.95	\$15.95	\$0.00		
Duck Packaging Tape	Aisle 19	\$5.50	\$6.00	\$0.50		
Sharpie Markers 2 ct	Aisle 19	\$3.00	\$3.00	\$0.00		
Bic Pens Soft Feel 4 ct	Aisle 19	\$2.25	\$2.25	\$0.00		
EZ Reader Glasses	Endcap 10	\$6.00	\$6.00	\$0.00		
Stickers 69 ct	Endcap 19	\$1.00	\$1.00	\$0.00		
Cotton Swabs 300 ct	Endcap 11	\$2.85	\$2.85	\$0.00		
Scrub Daddy	Aisle 20	\$2.75	\$2.75	\$0.00		
Tide Laundry Detergent 150 oz	Aisle 20	\$12.75	\$12.75	\$0.00		
Bounce Pet hair and lint guard	Aisle 20	\$9.95	\$9.95	\$0.00		
Clorox Bleach 81 oz	Aisle 20	\$5.50	\$6.00	\$0.50		
Febreze wax melt	Aisle 20	\$4.00	\$4.00	\$0.00		
Dawn liquid Dish Soap	Aisle 20	\$9.55	\$9.55	\$0.00		
Mr Clean Mop	Aisle 21	\$14.00	\$14.00	\$0.00		
Mr Clean Cloths	Aisle 21	\$3.00	\$3.00	\$0.00		
True Living Ziplock Bags	Aisle 21	\$4.40	\$4.40	\$0.00		
Swiffer Wet Jet Refill	Aisle 21	\$6.75	\$6.75	\$0.00		
Swiffer Duster	Aisle 21	\$12.00	\$12.00	\$0.00		
Glad 13 gallon trash bags	Aisle 21	\$5.95	\$5.95	\$0.00		
Brawny Paper towels	Aisle 21	\$5.00	\$5.00	\$0.00		
Clorox All purpose cleaner	Aisle 21	\$4.00	\$4.00	\$0.00		
5 hour energy	Front	\$3.25	\$3.25	\$0.00		
Novelty Dual Torch	Front	\$4.00	\$4.00	\$0.00		

Total No. Of Items Tested	25
Total over charges	2
Total Under Charges	0
Total Not on File (NOF)	0
Total NOF not charged correctly	0

# Price Verification Summary Report

Store Passed/Store Failed X

Inspection

1

X

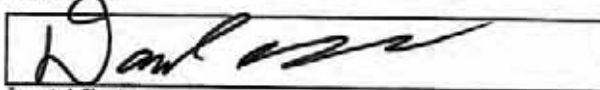
Routine Complaint

Store Name:	Dollar General	Store #	24203	Phone #	518-687-7055
Street Address:	3954 NY - 22	County #	15	Manager	Brad Ball
City, Zip:	Willsboro, NY 12996	Insp. ID #	130	Date	12/27/2022

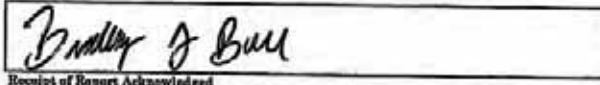
Total No. of Items Tested	100
Total Over Charges	23
Total Under Charges	1
Total Not on File	0
Total NOF not Charged Correctly	0
Accuracy Percentage	76%

Dan Woods

Inspector's name



Inspector's Signature



Receipt of Report Acknowledged

Store Manager

Title

Fee \$0.00

Accuracy Percentage considering only OVER Charges

77.00%

## Comments

100 Random Items were checked for Pricing Accuracy. 23 of these items were over charges. An overcharge is when the customer is being charged more than the price tag on the shelf. A 98% compliance is needed to pass a Pricing Accuracy Inspection. The store has failed with a 77% accuracy.



## Price Verification Worksheet

Product identity	Location	Shelf Price	Charged Price	Error in Cents ±	Not on File	Comments
LA Colors Shadow CES135 makeup Nude	Outside Wall	\$3.00	\$3.35	\$0.35		
LA Colors Fnails 33 pc	Outside Wall	\$3.00	\$3.95	\$0.95		
Believe Beauty Foundation Mocha	Endcap 22	\$5.50	\$5.60	\$0.10		All Foundations Wrong
Believe Beauty Lip Color Liquid Lipstick	Endcap 22	\$4.50	\$4.85	\$0.35		
St Ives Body Wash Oatmeal 16 oz	Aisle 22	\$3.35	\$3.35	\$0.00		
Hello Deodorant AC Clean Fresh 2.6 oz	Outside Wall	\$6.40	\$6.75	\$0.35		
Pronamel ToothPaste Mineral Boost 2.7 oz	Outside Wall	\$5.25	\$5.55	\$0.30		
Rexall Whitening Strips 10 ct	Outside Wall	\$5.10	\$5.10	\$0.00		
Got 2 B Hair Color M71 Metal Silver	Aisle 22	\$12.50	\$12.50	\$0.00		
Flinstones Super Beans Tablets 90 ct	Aisle 21	\$10.15	\$10.50	\$0.35		Flinstone Vitamins Wrong
One a Day Multi Vitamin Mens 100 Ct	Aisle 21	\$9.65	\$10.65	\$1.00		
DG Health A0735 Roll on Hot/Cold 2.5 oz	Aisle 21	\$4.35	\$5.25	\$0.90		
RX Comp A1563 Reg Pads B/ HVY 28 CT	Aisle 21	\$10.00	\$10.50	\$0.50		
Breeze A1445 Maxi Pads UT 44 ct	Aisle 21	\$5.95	\$6.50	\$0.55		
JVC Gummy Ear Buds	Aisle 20	\$7.80	\$7.80	\$0.00		
Zone Pro Sports Bra	Aisle 20	\$5.00	\$5.00	\$0.00		
Hanes B2138 White Crew Boys SZ 3	Aisle 20	\$7.25	\$7.50	\$0.25		
DG Health Docosanl Cream .07 oz	Aisle 20	\$14.70	\$15.95	\$1.25		
Campbells Tomato Soup 14.3 oz	Aisle 19	\$1.35	\$1.35	\$0.00		
Accessories Gloves Set 4 ct	Aisle 19	\$3.50	\$3.50	\$0.00		
Wireless Gear AC Charger	Aisle 18	\$10.95	\$10.95	\$0.00		
Ghirardelli Caramel Squares	Aisle 18	\$4.00	\$4.00	\$0.00		
Kingsford Lighter Fluid 32 oz	Center cap	\$4.75	\$5.00	\$0.25		
Kingsford Charcoal Easy Light Bag 4 lb	Center cap	\$7.50	\$7.50	\$0.00		
Comfort Bay Wndw Pnl Black 28x63 2ct	Aisle 17	\$14.50	\$15.00	\$0.50		

Total No. Of Items Tested	25
Total over charges	15
Total Under Charges	0
Total Not on File (NOF)	0
Total NOF not charged correctly	0

## Price Verification Worksheet

Product identity	Location	Shelf Price	Charged Price	Error in Cents ±	Not on File	Comments
Comfort Bay M0569 Wndw Pnl Hunter Grey	Aisle 17	\$13.00	\$16.00	\$3.00		all curtains wrong
Comfort Bay Pillow 2 pk Standard	Aisle 16	\$8.50	\$8.75	\$0.25		
Comfort Bay Hand Towel Grey	Aisle 16	\$3.05	\$3.50	\$0.45		
Comfort Bay Shower Set 13 PC	Aisle 16	\$13.20	\$14.95	\$1.75		
True Living Vinyl Drain Stoppers	Aisle 16	\$3.00	\$3.00	\$0.00		
UTZ Chips Salt and Vinegar	Aisle 3	\$3.00	\$3.25	\$0.25		All Utz wrong
On The Border Tortilla Chip 11 oz	Aisle 3	\$3.00	\$3.25	\$0.25		
Gardetto's Snack Mix 8.6 oz	Aisle 3	\$2.50	\$2.85	\$0.35		
Creter Popcorn Mix Cheese and caramel 7.5 oz	Aisle 3	\$3.50	\$4.00	\$0.50		
Heartland Harv Trail Mix 10 oz	Aisle 3	\$3.25	\$3.50	\$0.25		
Planter's Cashews Halves 8 oz	Aisle 3	\$6.00	\$6.25	\$0.25		
V8 Sparkling Energy Lemon Lime 11.5 oz	Aisle 3	\$2.10	\$2.10	\$0.00		
Jack Links Beef Jerkey Teriyaki 2.6 oz	Aisle 3	\$4.95	\$5.50	\$0.55		
Smokehouse Sausage Sticks 5 oz	Aisle 3	\$4.50	\$5.00	\$0.50		All Jerkey Wrong
Hellmann's Mayo Squeeze	Aisle 5	\$4.85	\$5.45	\$0.60		
French's Mustard Yellow 14 oz	Aisle 5	\$1.85	\$2.25	\$0.40		
Franks Red Hot Wing Sauce 5 oz	Aisle 5	\$2.00	\$2.15	\$0.15		
Starkist Chunk Lt Tuna 3 pk 5 oz	Aisle 5	\$3.45	\$3.75	\$0.30		
Hormel Chili W Beans 15 oz	Aisle 5	\$2.45	\$2.45	\$0.00		
Mott's Applesauce Strawberry 6 pk	Aisle 5	\$2.35	\$3.00	\$0.65		all motts wrong
GoGo Squeeze Applesauce Strawberry 4 pk	Aisle 5	\$2.75	\$3.15	\$0.40		All Go Go Squeeze wrong
Dole Peaches Diced 4 pk 4 oz	Aisle 5	\$2.75	\$3.45	\$0.70		All Dole 4 pks Wrong
Peter Pan Peanut Butter 25 oz	Aisle 5	\$3.95	\$4.25	\$0.30		All peanut butter wrong
Sweet Sue's Chicken 20 oz	Aisle 5	\$3.00	\$3.85	\$0.85		
Kraft Mac and Cheese 4 pk 7.25 oz	Aisle 5	\$4.95	\$5.25	\$0.30		

Total No. Of Items Tested	25
Total over charges	22
Total Under Charges	0
Total Not on File (NOF)	0
Total NOF not charged correctly	0

## Price Verification Worksheet

Product identity	Location	Shelf Price	Charged Price	Error in Cents ±	Not on File	Comments
Nissan Cup of Noodles Beef 3 pk 2.25 oz	Aisle 5	\$1.45	\$1.75	\$0.30		All Noodles Wrong
Kraft Cheese Grated Parm 8oz	Aisle 5	\$4.35	\$4.25	-\$0.10		Promo Price. Scans wrong 4.75
Prego Pasta Sauce Meat 38 oz	Aisle 5	\$3.75	\$3.95	\$0.20		All Sauce Wrong
Oreo Cookies Family Size 19.1 Oz	Aisle 6	\$4.50	\$4.85	\$0.35		
Chips Ahoy Cookies Chunky 11.75 oz	Aisle 6	\$3.50	\$3.75	\$0.25		All Cookies wrong
Little Debbie Swiss Rolls 13 oz	Aisle 6	\$2.55	\$2.55	\$0.00		
Keebler Chips Deluxe Dipped Duo 9.4 oz	Aisle 6	\$2.95	\$3.45	\$0.50		
Clover Valley Cookies Fudge Grahams 13 oz	Aisle 6	\$2.00	\$2.65	\$0.65		
Cheese it crackers extra Toasty 7 oz	Aisle 6	\$2.65	\$2.95	\$0.30		
Takis Blue Heat Corn Chip	Aisle 6	\$3.35	\$4.25	\$0.90		
Hersheys w almonds XL Bar 4.25 oz	Aisle 6	\$2.35	\$2.55	\$0.20		
Reeses Miniture Stand up bag 8 oz	Aisle 6	\$3.95	\$4.00	\$0.05		
Heartland Farm Bone PB Filled 4 ct	Aisle 12	\$4.35	\$4.00	-\$0.35		
Arm and Hammer Litter Slide Cat 14 lb	Aisle 12	\$10.85	\$12.25	\$1.40		
Heartland Farm Dry Dog Food Chicken 20 lb	Aisle 12	\$12.00	\$12.75	\$0.75		
Heartland Farm Dry Cat Food Kitten 2.4 lb	Aisle 12	\$4.40	\$4.90	\$0.50		
One Dry Dog Food Purina one Plus 12.5 lb	Aisle 12	\$22.25	\$24.20	\$1.95		
Bounty Paper towel Double 8 roll	Outside Wall	\$18.95	\$21.00	\$2.05		
Drive MXD Motor Oil 1040HM 1 qt	Aisle 13	\$4.65	\$5.75	\$1.10		
Blue Mountain Antifreeze Full Strength 128 oz	Aisle 13	\$16.75	\$16.95	\$0.20		
Pro Essentials Tape Measure 25 ft	Aisle 13	\$6.95	\$7.25	\$0.30		
GE Bent Tip Bulb 60 w soft white 4 ct	Aisle 13	\$3.85	\$4.50	\$0.65		
Good Cook Swaute Pan 12 in	Outside Wall	\$15.00	\$15.50	\$0.50		
True Living Cast Iron Skillet	Outside Wall	\$14.00	\$14.50	\$0.50		
Good Cook Cutting Board Bamboo 14x10	Outside Wall	\$8.00	\$8.50	\$0.50		

Total No. Of Items Tested	25
Total over charges	22
Total Under Charges	2
Total Not on File (NOF)	0
Total NOF not charged correctly	0



## Price Verification Worksheet

Product identity	Location	Shelf Price	Charged Price	Error in Cents *	Not on File	Comments
Hefty Trash Can 13.5 Gallon	Outside Wall	\$18.50	\$18.95	\$0.45		
Sterilite Latch Tote 64 qt Clear	Outside Wall	\$13.00	\$13.50	\$0.50		
Huggies Pull ups girl sz 4t-5t 19 ct	Outside Wall	\$11.50	\$11.95	\$0.45		
Pampers Swaddlers Super Pk sz 1 96 ct	Outside Wall	\$26.95	\$27.95	\$1.00		
Gerber Baby Food Sweet Potato	Outside Wall	\$1.00	\$1.00	\$0.00		
Gerber Lil Crunchies Veg Dip 1.48 oz	Outside Wall	\$2.40	\$2.75	\$0.35		
Luvs Diapers Jumbo Size 4 29ct	Outside Wall	\$7.50	\$8.00	\$0.50		
True Living Peeler	Outside Wall	\$2.00	\$2.00	\$0.00		
Good Cook Rolling Pin Wooden	Outside Wall	\$6.00	\$6.50	\$0.50		
Charmin Bath Tissue Strong Mega 12 MR	Outside Wall	\$10.95	\$11.50	\$0.55		
True Living Cutlery 180 ct	Outside Wall	\$7.80	\$8.90	\$1.10		
True Living HD Paper Plate 10 in 56 ct	Outside Wall	\$6.15	\$7.25	\$1.10		
Glad 13 Gallon Trash Bags 22 ct	Aisle 10	\$5.95	\$5.95	\$0.00		
True Living Drain Opener Gel 80 Oz	Aisle 10	\$5.75	\$6.00	\$0.25		
Clorox Disinf Wipes Lemon 75 ct	Aisle 10	\$4.75	\$5.75	\$1.00		
Mr Clean Angle Broom Wide Dustpan	Aisle 10	\$11.00	\$12.50	\$1.50		
DG Home Flip Mop Microfiber	Aisle 10	\$9.00	\$10.00	\$1.00		
Swiffer Wet Jet Refill Unstopables	Aisle 10	\$6.95	\$7.00	\$0.05		
Clorox Clean Up Spray w Bleach 24 oz	Aisle 10	\$3.65	\$4.50	\$0.85		
DG Home Cleaner with bleach 32 oz	Aisle 10	\$3.00	\$3.00	\$0.00		
Dawn Powerwash kit apple 16 oz	Aisle 10	\$4.95	\$5.25	\$0.30		
Downy Fab Softener April Fresh 129 oz	Aisle 11	\$10.95	\$11.75	\$0.80		
Gain Flings pods 60 ct	Aisle 11	\$15.95	\$15.95	\$0.00		Promo Price Reg 16.95 wrong
Gain Liquid Laundry Moonlight 65 oz	Aisle 11	\$7.50	\$7.50	\$0.00		Promo Price Reg 7.75 wrong
Tide Simply Liquid Laundry Bleach 150 oz	Aisle 11	\$12.15	\$12.95	\$0.80		

Total No. Of Items Tested	25
Total over charges	19
Total Under Charges	0
Total Not on File (NOF)	0
Total NOF not charged correctly	0

# Price Verification Summary Report

Store Passed/Store Failed X

Inspection

1

☐

Routine Complaint X

Store Name:	Dollar General	Store #	18555	Phone #	518-601-2072
Street Address:	4375 Main St	County #	15	Manager	Cynthia Arno
City, Zip:	Port Henry, NY 12974	Insp. ID #	130	Date	11/17/2022

Total No. of Items Tested	100
Total Over Charges	78
Total Under Charges	2
Total Not on File	0
Total NOF not Charged Correctly	0
Accuracy Percentage	20%

Dan Woods  
Inspector's name

*[Signature]*  
Inspector's Signature

*[Signature]* *[Signature]*  
Receipt of Report Acknowledged Title

Accuracy Percentage considering only OVER Charges	22.00%
---	--------

Fee \$0.00

## Comments

100 Random Items were checked for Pricing Accuracy. 78 of these items were over charges. An overcharge is when the customer is being charged more than the price tag on the shelf. A 98% compliance is needed to pass a Pricing Accuracy Inspection. The store has failed with a 22% accuracy. There is a major issue with the whole stores pricing.

## Price Verification Worksheet

Product identity	Location	Shelf Price	Charged Price	Error in Cents *	Not on File	Comments
Tostitos Salsa	Aisle 1	\$3.70	\$3.70	\$0.00		
2 liter Coca Cola	Aisle 1	\$2.50	\$2.65	\$0.15		
Lays 13 oz classic	Aisle 1	\$4.45	\$4.45	\$0.00		
Freihofer Italian bread	Aisle 2	\$3.20	\$3.20	\$0.00		
Starburst Gummies	Aisle 2	\$2.95	\$2.95	\$0.00		
Kit Kat Mini	Aisle 2	\$1.00	\$1.00	\$0.00		
Whole Milk 1 Gallon	Refrigerator	\$4.25	\$4.15	-\$0.10		
Monster Energy Drink 16 oz	Refridgerator	\$2.40	\$2.40	\$0.00		
Starbucks DoubleShot Energy	Small Refridgerator	\$3.00	\$3.35	\$0.35		
Coca Cola 355 ml	Small Refridgerator	\$1.60	\$2.00	\$0.40		
Sweet Baby Rays Honey BBQ	Aisle 3	\$4.75	\$5.00	\$0.25		
Planters Cashews 8 oz lightly salted	Aisle 3	\$6.00	\$6.25	\$0.25		
Cheese it 7 oz	Aisle 3	\$2.45	\$2.95	\$0.50		
Kick Start Mtn Dew	Aisle 3	\$1.35	\$1.50	\$0.15		
Battery 6 pk AA	Aisle 7	\$1.00	\$1.00	\$0.00		
Dozen Eggs	Refridgerator	\$3.95	\$3.95	\$0.00		
100 liter Tote	top of refridgerator	\$17.00	\$18.00	\$1.00		
Eggo French Toast Sticks	Refridgerator	\$3.25	\$3.25	\$0.00		
V8 Splash 46 oz	Aisle 4	\$2.45	\$2.45	\$0.00		
Kool Aid Mix	Aisle 4	\$3.45	\$3.65	\$0.20		
Hot Fries	Aisle 4	\$3.00	\$3.15	\$0.15		
Pringles	Aisle 4	\$2.25	\$2.35	\$0.10		All Pringles Wrong
Shoe Polish	Aisle 4	\$3.00	\$3.25	\$0.25		
Clorox Bathroom Cleaner	Aisle 13	\$4.50	\$4.50	\$0.00		
Lysol Wipes	Aisle 13	\$5.65	\$5.95	\$0.30		All Wipes Wrong

Total No. Of Items Tested	25
Total over charges	13
Total Under Charges	1
Total Not on File (NOF)	0
Total NOF not charged correctly	0



## Price Verification Worksheet

Product identity	Location	Shelf Price	Charged Price	Error in Cents ±	Not on File	Comments
Drano Max Gel	Aisle 13	\$8.75	\$8.75	\$0.00		
Jiffy Foil Pan 13x9	Outside Wall	\$4.00	\$4.00	\$0.00		
True Living Storage Containers	Outside Wall	\$4.95	\$4.95	\$0.00		
Chinet Paper Plates	Outside Wall	\$7.50	\$7.50	\$0.00		
Gain 1.2 Gallon Fabric Softener	Aisle 14	\$16.75	\$16.75	\$0.00		
Clorox Bleach 43 oz	Aisle 14	\$4.00	\$4.00	\$0.00		
Bounce Dryer Sheets	Aisle 14	\$2.25	\$2.25	\$0.00		
True Living Candle	Aisle 14	\$4.00	\$5.00	\$1.00		
Folgers 19.2 oz	Aisle 5	\$6.95	\$6.95	\$0.00		
Frenchs Yellow Mustard	Aisle 5	\$2.15	\$2.25	\$0.10		
Miracle Whip	Aisle 5	\$5.50	\$5.75	\$0.25		
Apple Jacks 14.7 oz	Aisle 5	\$3.85	\$3.85	\$0.00		
Keebler E L Fudge Double Stuffed	Aisle 5	\$3.55	\$3.65	\$0.10		oreos and keebler wrong
Armour Vienna Sausage	Aisle 6	\$0.75	\$1.00	\$0.25		
Kraft Mac and Cheese 4 pk	Aisle 6	\$5.75	\$5.75	\$0.00		
Spaghettios	Aisle 6	\$1.65	\$1.65	\$0.00		
Bisquick	Aisle 6	\$4.65	\$5.65	\$1.00		
Hunt's Snack Pack 2 pack	Aisle 6	\$1.65	\$1.65	\$0.00		
Gatorade 28 oz	Aisle 6	\$1.35	\$1.45	\$0.10		
Old El Paso taco shells	Aisle 6	\$2.85	\$2.95	\$0.10		All Old El Paso
Nissin Top Ramen	Aisle 6	\$1.35	\$1.45	\$0.10		All Nissan wrong
Sweet Peas	Aisle 6	\$0.85	\$0.85	\$0.00		
Pedigree 22 oz	Aisle 15	\$2.40	\$2.40	\$0.00		
Natures Menu 15 lb	Aisle 15	\$20.00	\$20.00	\$0.00		
Heartland Farm 12 lb Dog Food	Aisle 15	\$10.65	\$11.25	\$0.60		

Total No. Of Items Tested	25
Total over charges	10
Total Under Charges	0
Total Not on File (NOF)	0
Total NOF not charged correctly	0

## Price Verification Worksheet

Product identity	Location	Shelf Price	Charged Price	Error in Cents ±	Not on File	Comments
Marro Bone Pedigree	Aisle 15	\$4.95	\$5.25	\$0.30		
Good n Fun Bones	Aisle 15	\$4.25	\$4.25	\$0.00		
Mr Clean Mop	Aisle 15	\$14.00	\$14.50	\$0.50		
Swiffer Duster	Aisle 15	\$7.00	\$7.00	\$0.00		
Dog Collar	Aisle 15	\$4.50	\$4.50	\$0.00		
Good Cook Strainer	Outside Wall	\$7.50	\$7.75	\$0.25		
Good Cook Wooden Spoon	Outside Wall	\$3.50	\$3.75	\$0.25		
Microwave Plates	Outside Wall	\$6.00	\$6.00	\$0.00		
13 piece shower curtain	Aisle 16	\$10.00	\$10.00	\$0.00		
Comfort Bay runner	Aisle 16	\$12.00	\$12.00	\$0.00		
Campbells Soup	Aisle 7	\$1.35	\$1.35	\$0.00		
Hershey Kisses	Aisle 7	\$3.25	\$3.25	\$0.00		
Wrapping paper 4 pk	Aisle 7	\$5.00	\$5.00	\$0.00		
NyQuil	Aisle 11	\$9.50	\$9.50	\$0.00		
Ludens Cough Drops	Aisle 11	\$4.95	\$4.95	\$0.00		
Dr Scholls inserts	Aisle 11	\$13.00	\$13.00	\$0.00		
Tums	Aisle 11	\$6.00	\$6.00	\$0.00		
Premier Protein 4 pk	Aisle 11	\$10.00	\$10.00	\$0.00		
Tampax 28 ct	Aisle 11	\$8.40	\$8.40	\$0.00		
GE 40 watt 4 pk	Aisle 20	\$4.50	\$4.50	\$0.00		
Chap Stick hydration	Aisle 20	\$3.00	\$3.00	\$0.00		
Duct Tape	Aisle 20	\$5.75	\$5.75	\$0.00		
AJAX dish detergent	Aisle 20	\$1.00	\$1.00	\$0.00		
Valvoline 1 qt	Aisle 20	\$5.75	\$5.75	\$0.00		
Angel Soft 4 pk bath tissue	Outside Wall	\$3.75	\$3.75	\$0.00		

Total No. Of Items Tested	25
Total over charges	4
Total Under Charges	0
Total Not on File (NOF)	0
Total NOF not charged correctly	0

## Price Verification Worksheet

Product identity	Location	Shelf Price	Charged Price	Error in Cents ±	Not on File	Comments
Bounty 4 pk	Outside Wall	\$8.75	\$8.75	\$0.00		
Hefty 13 gallon trash bag	Aisle 21	\$5.95	\$5.95	\$0.00		
Double Zipper Storage Bag True Living	Aisle 21	\$4.45	\$4.45	\$0.00		
Gnetle Steps Diapers	Outside Wall	\$6.00	\$6.00	\$0.00		
Huggies size 4 76 ct	Outside Wall	\$25.50	\$25.50	\$0.00		
Johnsons Baby Lotion	Outside Wall	\$4.50	\$4.50	\$0.00		
Gerber Baby Food	Outside Wall	\$1.25	\$1.25	\$0.00		
Swiggles baby socks	Aisle 21	\$6.25	\$6.50	\$0.25		
Oral B 6 pk Toothbrush	Outside Wall	\$5.10	\$5.10	\$0.00		
Scope Mouthwash 1 lt	Outside Wall	\$4.75	\$4.75	\$0.00		
Dove Body Wash	Aisle 12	\$7.50	\$7.50	\$0.00		
Wahl Hair Trimmer	Outside Wall	\$31.00	\$31.00	\$0.00		
ConAir Curling Iron	Outside Wall	\$8.70	\$8.70	\$0.00		
Gillette Shaving Cream	Aisle 12	\$2.95	\$2.95	\$0.00		
Bic click 5 razor blades	Aisle 12	\$7.15	\$7.15	\$0.00		
Speed Stick	Aisle 12	\$2.00	\$2.25	\$0.25		
Got 2 b Colu maniac mouse	Outside Wall	\$4.35	\$4.35	\$0.00		
Pantene Conditioner	Outside wall	\$6.10	\$6.10	\$0.00		
Mink Effect Eye Lashes	Outside Wall	\$4.75	\$4.75	\$0.00		
Believe Liquid Lip gloss	Endcap 11	\$4.50	\$4.85	\$0.35		
Believe Foundation	Endcap 11	\$5.50	\$5.60	\$0.10		
Believe Liquid Liner	Endcap 11	\$4.50	\$5.25	\$0.75		
Wild Tropics sunscreen	Front	\$9.00	\$4.50	-\$4.50		
Coppertone sunscreen	Front	\$8.00	\$8.00	\$0.00		
Body Spray	Aisle 11	\$3.35	\$3.35	\$0.00		

Total No. Of Items Tested	25
Total over charges	5
Total Under Charges	1
Total Not on File (NOF)	0
Total NOF not charged correctly	0



## Price Verification Summary Report

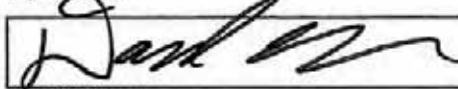
Store Passed/Store Failed X

Inspection 1 1 Routine Complaint


Store Name:	Dollar General	Store #	10970	Phone #	518-601-2072
Street Address:	925 US Rt 9	County #	15	Manager	Bonnie Bessey
City, Zip:	Schroon Lake, 12870	Insp. ID #	130	Date	12/8/2023

Total No. of Items Tested	100
Total Over Charges	32
Total Under Charges	2
Total Not on File	0
Total NOF not Charged Correctly	0
Accuracy Percentage	68%

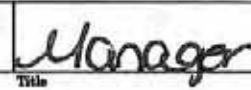
Dan Woods/ Matt Flemming  
Inspector's name



Inspector's Signature



Receipt of Report Acknowledged



Title

Fee \$0.00

Accuracy Percentage considering only OVER Charges	68.00%
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### Comments

100 Random Items were checked for Pricing Accuracy. 32 of these items were over charges. An overcharge is when the customer is being charged more than the price tag on the shelf. A 98% compliance is needed to pass a Pricing Accuracy Inspection. The store has failed with a 68% accuracy.

## Price Verification Worksheet

	Product identity	Location	Shelf Price	Charged Price	Error in Cents ±	Not on File	Comments
1	Clover Valley Club Soda	5	\$0.75	\$0.75	\$0.00		
2	Kind Breakfast Bars	6	\$2.95	\$2.95	\$0.00		
3	Clover Valley Toasted Oats	6	\$2.00	\$2.00	\$0.00		
4	Nestle Toll House	6	\$2.50	\$2.50	\$0.00		
5	Ragu Mushroom Sauce	7	\$1.50	\$1.75	\$0.25		overcharge
6	Clover Valley Mackerel	7	\$1.85	\$1.85	\$0.00		
7	Hamburger Helper	7	\$1.65	\$1.65	\$0.00		
8	Bic Highlighter Markers	7/8 Endcap	\$2.00	\$2.00	\$0.00		
9	Clover Valley Vegetable Juice	8	\$2.50	\$2.50	\$0.00		
10	Powerade 28 fl oz	8	\$0.60	\$0.60	\$0.00		
11	Jolley Rancher Gummies	4	\$2.00	\$1.00	-\$1.00		undercharge/misshelved
12	Schweppes Ginger Ale	22/wall	\$1.90	\$2.00	\$0.10		overcharge
13	DG Home Drawstring Bags	22/wall	\$9.50	\$9.00	-\$0.50		undercharge/misshelved
14	Good Cook Measuring Set	22	\$2.50	\$2.50	\$0.00		
15	True Living Shower Rod	22	\$10.00	\$10.00	\$0.00		
16	Penzoil 1 qt motor oil	21	\$5.00	\$5.00	\$0.00		
17	California Scents	21	\$3.00	\$2.95	-\$0.05		undercharge/misshelved
18	Sterlite 32 qt tote	back wall	\$7.50	\$7.50	\$0.00		
19	Foam Roller	20	\$5.00	\$5.00	\$0.00		
20	3D Puzzle Toy	20	\$1.00	\$1.00	\$0.00		
21	Toy Cars	20	\$5.00	\$5.00	\$0.00		
22	Magic Power Lemon Cleaner	20	\$1.00	\$1.00	\$0.00		
23	Pine Sol 100 fl oz	19	\$6.50	\$6.50	\$0.00		
24	DG Toilet Bowl Tab	19	\$1.00	\$1.00	\$0.00		
25	Mr. Clean Mop Refill	19	\$6.50	\$6.50	\$0.00		

Total No. Of Items Tested	25
Total over charges	2
Total Under Charges	3
Total Not on File (NOF)	0
Total NOF not charged correctly	0

## Price Verification Worksheet

	Product identity	Location	Shelf Price	Charged Price	Error in Cents *	Not on File	Comments
26	DG Home Tropic Nectar	19	\$6.75	\$6.75	\$0.00		
27	Tide Pods 3 in 1	18	\$9.00	\$9.00	\$0.00		
28	Raid Ant + Roach	18	\$4.25	\$4.25	\$0.00		
29	DG Scouring Pads	18	\$1.75	\$2.05	\$0.30		overcharge
30	CV Cream of Mushroom	15	\$0.70	\$0.70	\$0.00		
31	DG 12 pack bathroom tissue	back wall	\$8.95	\$8.95	\$0.00		
32	Westcott Pencil Sharpener	12	\$4.25	\$4.75	\$0.50		overcharge
33	8 piece Acrylic Paints	12	\$4.00	\$4.00	\$0.00		
34	Hane's Boxer Briefs	12	\$8.80	\$8.80	\$0.00		
35	Hanes Cotton Briefs	12	\$7.95	\$7.95	\$0.00		
36	Gilden Fleece	12	\$15.00	\$6.75	-\$8.25		discontinued/intentional under
37	DG Cold/Flu Relief	10/11 Endcap	\$4.25	\$4.25	\$0.00		
38	Huggies 27 Pack	10	\$8.50	\$8.50	\$0.00		
39	Predo Baby Wipes	10	\$1.95	\$1.95	\$0.00		
40	DG Aloe Gel	10	\$4.00	\$4.00	\$0.00		
41	Tylenol Cold/Flu	10	\$6.50	\$6.50	\$0.00		
42	Rexall Laxative	10	\$2.25	\$2.25	\$0.00		
43	DG Antacid	10	\$2.35	\$2.35	\$0.00		
44	Bayer Back and Body	10	\$6.50	\$6.50	\$0.00		
45	Tinactin Spray	10	\$5.50	\$5.50	\$0.00		
46	Poligrip	9	\$5.00	\$5.00	\$0.00		
47	Colgate Optic White	9	\$5.00	\$5.00	\$0.00		
48	Studio Select Manicure Set	9/wall	\$6.00	\$6.00	\$0.00		
49	Con Air Hair Dryer	9/wall	\$10.50	\$10.50	\$0.00		
50	Old Spice Hyvo Wash	9/wall	\$5.50	\$5.50	\$0.00		

Total No. Of Items Tested	25
Total over charges	2
Total Under Charges	1
Total Not on File (NOF)	0
Total NOF not charged correctly	0



## Price Verification Summary Report

 Inspection ☒ 1st ☐ 2nd ☐ Other

 Complaint ☐ Routine ☒
☐ Store Passed Inspection

☒ Store Failed Inspection

Store Name:	Dollar General	Store #	18555	Phone #	518-601-2072
Street Address:	4375 Main St.	County #	99	Manager	Sabrina Canning
City, Zip:	Port Henry, NY, 12974	Insp. ID #	951	Date	2/26/2021

Total No. of Items Tested	50
Total Over Charges	4
Total Under Charges	4
Total Not on File	0
Total NOF not Charged Correctly	0
Accuracy Percentage	84%

Matthew Fleming

Inspector's name

Inspector's Signature

Receipt of Report Acknowledged

Title

 Fee 

Accuracy Percentage considering only OVER Charges

92.00%

Comments

*All tests done in accordance with NIST Handbook 130*

## Price Verification Worksheet

	Product identity	Location	Shelf Price	Charged Price	Error in Cents ±	Not on File	Comments
1	Suave Moose	12	\$3.00	\$3.00	\$0.00		
2	Wahl Hair Cutting Kit	12	\$16.00	\$16.00	\$0.00		
3	Con Air Hair Comb	12	\$3.00	\$3.00	\$0.00		
4	DG Cold Sore Treatment	12	\$5.00	\$1.88	-\$3.12		discontinued item
5	Oral B Tooth Brush	12	\$1.00	\$1.00	\$0.00		
6	Comfort Bay Quilt	12	\$20.00	\$20.00	\$0.00		
7	Surge Sunglasses	Aisle 12 display	\$10.00	\$10.00	\$0.00		
8	Buddeez Dispenser	21	\$3.75	\$4.00	\$0.25		overcharge
9	True Living Condiment Holder	21	\$1.00	\$1.00	\$0.00		
10	DG Shower Rod	21	\$9.00	\$9.50	\$0.50		overcharge
11	Irish Spring	12	\$4.00	\$4.00	\$0.00		
12	Cotton Rounds	12	\$1.75	\$1.75	\$0.00		
13	Airid XX Extra Dry	12	\$2.75	\$2.75	\$0.00		
14	Believe Beauty Mist	12	\$4.00	\$4.00	\$0.00		
15	Mucinex DM	11	\$13.50	\$13.50	\$0.00		
16	Children's Zyrtec	11	\$11.25	\$11.25	\$0.00		
17	Alka Seltzer Gum	11	\$4.00	\$4.00	\$0.00		
18	Ensure Original	11	\$8.50	\$8.50	\$0.00		
19	Kittrich Grip Line	20	\$1.00	\$1.00	\$0.00		
20	True Living Essentials Clothesline	20	\$4.15	\$4.65	\$0.50		overcharge
21	2 Gallon Gas Can	20	\$13.00	\$13.00	\$0.00		
22	DG Tape Measure	20	\$5.00	\$5.00	\$0.00		
23	Shoe Gear Laces	20	\$2.00	\$2.00	\$0.00		
24	Kids Socks	19/20 Endcap	\$5.00	\$5.00	\$0.00		
25	DG Pads	11	\$4.00	\$4.00	\$0.00		

Total No. Of Items Tested	25
Total over charges	3
Total Under Charges	1
Total Not on File (NOF)	0
Total NOF not charged correctly	0

## Price Verification Worksheet

	Product identity	Location	Shelf Price	Charged Price	Error in Cents ±	Not on File	Comments
26	Tampax Pearl	11	\$4.00	\$4.00	\$0.00		
27	Mueller Sports Wrap	11	\$4.00	\$4.00	\$0.00		
28	Energizer A23 Batteries	10/11 Endcap	\$3.85	\$3.85	\$0.00		
29	Huggies 25 Pack	10	\$9.25	\$9.25	\$0.00		
30	Nuby Pacifier Clip	10	\$3.00	\$3.00	\$0.00		
31	Cribmates Toy Phone	10	\$4.25	\$4.25	\$0.00		
32	Bobbie Brooks Blouse	19	\$12.50	\$12.50	\$0.00		
33	Ford Licensed Cap	19	\$8.00	\$8.50	\$0.50		overcharge
34	Hanes Tagless T Shirts	10	\$10.15	\$10.15	\$0.00		
35	Hanes Boys T Shirts	10	\$5.95	\$5.95	\$0.00		
36	DG Party Decorating Kit	9	\$4.00	\$4.00	\$0.00		
37	Crafter's Closet Colored Sticks	9	\$1.25	\$1.50	\$0.25		overcharge
38	Wrapping Paper	9	\$1.50	\$1.50	\$0.00		
39	Ticonderoga Pencils 10 pack	18	\$2.75	\$2.75	\$0.00		
40	Art Skills Poster Letters	18	\$2.50	\$2.50	\$0.00		
41	3 lb Dumbbell	18	\$4.50	\$4.50	\$0.00		
42	Play-Doh Set	18	\$3.00	\$3.00	\$0.00		
43	Matchbox Jeep	18	\$1.00	\$1.00	\$0.00		
44	True Living Candle	9	\$5.00	\$5.00	\$0.00		
45	Billboard Earbuds	9	\$5.00	\$5.00	\$0.00		
46	Airheads Candy	8	\$2.00	\$2.00	\$0.00		
47	Happy Easter Bunny	8	\$4.00	\$4.00	\$0.00		
48	12 oz Cooler Can	17	\$7.00	\$7.00	\$0.00		
49	Scott 6 pack	Back Shelf	\$3.00	\$3.00	\$0.00		
50	True Living Paper Towels	Back Shelf	\$6.75	\$6.75	\$0.00		

Total No. Of Items Tested	25
Total over charges	2
Total Under Charges	0
Total Not on File (NOF)	0
Total NOF not charged correctly	0



## Price Verification Summary Report

 Inspection ☒ 1st ☐ 2nd ☐ Other

 Complaint ☐ Routine ☒
☐ Store Passed Inspection

☒ Store Failed Inspection

Store Name:	Dollar General	Store #	10970	Phone #	518-904-0040
Street Address:	925 U.S. Rt. 9	County #	99	Manager	Bonnie Bessey
City, Zip:	Schroon Lake, NY, 12870	Insp. ID #	951	Date	2/26/2021

Total No. of Items Tested	50
Total Over Charges	5
Total Under Charges	1
Total Not on File	0
Total NOF not Charged Correctly	0
Accuracy Percentage	88%

Matthew Fleming

Inspector's name

Inspector's Signature

Receipt of Report Acknowledged

Title

Accuracy Percentage considering only OVER Charges

90.00%

Fee

Comments

*All tests done in accordance with NIST Handbook 130*

**From:** [Tiano, Suzanne](#)  
**To:** [Willis, James \(AGRICULTURE\)](#)  
**Subject:** Dollar General and Family Dollar Price Accuracy Inspection Reports  
**Date:** Thursday, January 5, 2023 12:12:00 PM  
**Attachments:** [Family Dollar Inspection New Lebanon 01042023.pdf](#)  
[Dollar General Hudson 12302022.pdf](#)  
[Dollar General-Germantown Price Accuracy inspection.pdf](#)  
[Big Lots Inspection 11152022.pdf](#)  
[Family Dollar Inspection Chatham12142022.pdf](#)  
[Weights and Measures Family Dollar Chatham Price Accuracy Fine Letter 12142022.doc](#)  
[Weights and Measures Price Chopper Price Accuracy Fine Letter 12192022.doc](#)  
[Weights and Measures Dollar General Hudson Price Accuracy Fine Letter 01032023.doc](#)  
[Weights and Measures Dollar General Germantown Price Accuracy Fine Letter 01032023.doc](#)  
[Family Dollar Inspection New Lebanon 01042023.pdf](#)

*ATTENTION: This email came from an external source. Do not open attachments or click on links from unknown senders or unexpected emails.*

Hi Jim,  
Corbin said you would be interested in my recent Price Accuracy Inspections for Dollar General and Family Dollar stores located in my county.  
I have enclosed copies of the inspections and fine letters for your review.  
Please let me know if you have any questions or concerns.

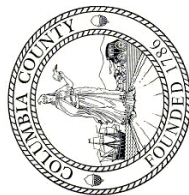
Regards,

Sue

--

**Suzanne Tiano**

**Director of Weights and Measures**  
**401 State Street**  
**Hudson, NY 12534**  
**Phone: 518-567-3437**



# Columbia County

Susanne Tiano, Director

Weights & Measures

401 State Street, Hudson NY 12534

Phone: (518) 697-8291

## Price Verification Summary Report

**Insp Date:** 12/30/2022 **Business ID:** CC0000007

**Business:** Dollar General  
70 Fairview Ave

Hudson, NY 12534

**Inspection:** CC0000007

**Store ID:**

**Phone:** 518-291-8195

**Inspector:** 001 Suzanne Tiano

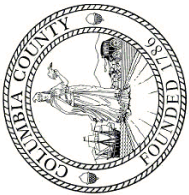
**Reason:** Routine Inspection

Commodity	Location	UPC	Lot Size	Shelf	Scan	Error	Lot Error	IU	Notes
DG Health Sinus Pressure & Pain	Cold and Flue Ai	350844502087		\$3.95	\$4.00	(\$0.05)			Over Charge
MiraLax	Side Wall	41100820730		\$12.75	\$12.95	(\$0.20)			Over Charge
MaBelline Twin Eye Pencil	Beauty Products	41554530254		\$4.00	\$4.35	(\$0.35)			Over Charge
Belle Comb and Brush Set	Hair Products	190425045608		\$2.00	\$2.25	(\$0.25)			Over Charge
Super Hair Bond Remover	Hair Products	746817584400		\$0.00	\$3.00	(\$3.00)			No Shelf Tag
Wash Cloth Light TAn	Towel Section	632726192280		\$3.00	\$2.75	\$0.25			Under Charge
Charmin Ultra Strong 12 Pk	Back Wall	30772041703		\$14.50	\$15.50	(\$1.00)			Over Charge
Comfort Bay Printed Sheet Set	Housewares	6952079001911		\$10.50	\$12.50	(\$2.00)			Over Charge
GE 60W 8W Led 2 pk	Bulb Area	43168504867		\$6.00	\$8.35	(\$2.35)			Over Charge

Inspector

Acknowledged Receipt :





# Columbia County

Susanne Tiano, Director

Weights & Measures

401 State Street, Hudson NY 12534

Phone: (518) 697-8291

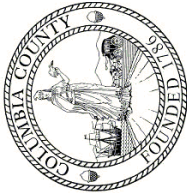
## Price Verification Summary Report

Commodity	Location	UPC	Lot Size	Shelf	Scan	Error	Lot Error	IU	Notes
Brush Tip Markers 8 Ct.	Craft Section	67212506917		\$6.35	\$6.50	(\$0.15)			Over Charge
Birthday NAPkins	Seasonal Section	1179259328		\$0.00	\$1.00	(\$1.00)			No Shelf Price
True Living CANDLE	Candle Section	430001360955		\$6.00	\$7.00	(\$1.00)			Over Charge
Paw Patrol Floor Puzzel	Toy Section	778988567364		\$0.00	\$7.50	(\$7.50)			No Shelf Price
Kettle Ball	Toy Area	672125072691		\$14.00	\$16.00	(\$2.00)			Over Charge
True Living 12 roll Bathroom Tissue	Back Wall	72645912119		\$8.50	\$8.75	(\$0.25)			Over Charge
Oreo Cookies	Cookie Aisle	4400025403		\$3.65	\$3.95	(\$0.30)			
Clover Valley 2 % Milk 128 oz	Cooler	70744002202		\$4.05	\$3.75	\$0.30			Under Charge
Mountain Dew Energy Drink	Small Cooler En	12000028625		\$2.00	\$2.35	(\$0.35)			Over Charge
Lamb Weston Super Crispy Crinkle Cut Fries	Freezer	43301611674		\$4.50	\$5.75	(\$1.25)			Over Charge
Mrs. T. Pierogies	Freezer	41164000222		\$3.00	\$3.50	(\$0.50)			Over Charge
Totino'sPeperoni Pizza Party	Freezer	42800114006		\$2.00	\$2.25	(\$0.25)			Over Charge
Betty Crocker Scoobi Fruit Snacks	Cereal Aisle	16000424197		\$2.25	\$3.00	(\$0.75)			Over Charge
Quaker Oats Chewy Variety Pk 14 ea	Cerael Aisle	30000575284		\$5.35	\$5.50	(\$0.15)			Over Charge

**Result:** Fail, Increased Inspection Frequency

Inspector

Acknowledged Receipt :



# Columbia County

Susanne Tiano, Director

Weights & Measures

401 State Street, Hudson NY 12534

Phone: (518) 697-8291

## Price Verification Summary Report

**Sample Size:** 50

**Fail Rate:** 46.9% **Net Dollar Error:** (\$24.10)

**Columbia County Weights and Measures conducted a pricing accuracy inspection of**

**Notes:**

- 50 Items scanned
- 16 -Over Charges
- 2 Under Charges
- 3 No Shelf Tags

\$300.00 for Failer to meet 98.0%

\$300.00 for each Over Charge \$4800.00

Total \$5100.00

Fine letter to be sent within week

Inspector

Acknowledged Receipt :

DOLLAR GENERAL STORE #19235  
ROCHESTER, NY 585-239-2755

LUVS JUMBO PK SZ2	037000859239	8.00	N
QUAKER CHEWY VARIE	030000575284	5.50	E
GS BABY OIL 200Z	072785136649	4.00	S
CG FOUN BB CRM SMT	022700033584	7.95	S
200Z LIT ICED TEA	012000112232	1.10	E
MENS P6 1 2C ANKLE	691466859310	6.50	N
IM GLUE STICK LARG	430001474232	1.00	S
A WICK OIL TURQ 3C	062338955513	8.00	S
CHEX MIX CHEDDAR	016000158405	2.75	E
10PK UNSCENTED TEA	430001182014	2.00	S
MENTOS MINT ROLLS	073390003852	1.00	S
GTRADE ZERO GLC FR	052000043280	1.45	S
EVERCAREPET 100CT	070982003344	6.00	S
BIC PENS SOFT FEEL	070330197619	2.50	S
CORE POWER VANILLA	811620021968	3.25	S
ZANTAC H BURN RELI	681421036122	10.00	E
BABY RICE CEREAL 8	015000070007	3.00	E
SWANSON CHUNK CHIC	051000188069	4.00	E
BOUNTY 2DR SAS PRI	037000666608	6.25	S
SMARTWATER 23.7OZ	786162001511	1.65	S
OTH BOTTLE DEP-.05		0.05	E
GORILLA EPOXY 25ML	052427007001	6.75	S
BAND-AID FABRIC 30	381370044314	3.50	
DONUT CUTTER	672125069448	5.00	S
DIAL LHS AB LAV JA	017000109022	2.00	S
SUBTOTAL		\$103.20	
Tax1		\$4.70	
Tax2		\$0.58	
TOTAL SALE		\$108.48	
CASH		\$108.48	
2022-11-30 13:55:27 19235 02		9380	

890144299183539120910012910919910014341311

-----CUT HERE-----  
 \*\*\*\*\*  
 \* Complete survey at [dgcustomerfirst.com](http://dgcustomerfirst.com) \*  
 \* For a chance to \*  
 \*WIN A \$100 Gift Card\*  
 \* Weekly Drawings, Must be 18+ to enter \*  
 \* Survey Code \*  
 \* 1914-0298-1243-493 \*  
 \*\*\*\*\*

-----CUT HERE-----  
**SATURDAY DEC. 3RD ONLY!**  
 DG Store Coupon Valid 12/3/2022  
**\$5 OFF \$25**



**From:** [WM- Weights Measures](#)  
**To:** "; John Lee"; "Albany, John Devoe"; "Albany, Todd Stanton"; "Allegheny, Gilbert Green"; saustenfeld@co.broome.ny.us; "Cattaraugus, Austin Kimes"; "Cayuga, Kyle Laukaitis"; "Chautauqua, Bob Calhoun"; "Chemung, Yates, Schuyler, Cliff Boyce"; "Chenango, Eric Davis"; "Clinton, Allan Bilow"; "Columbia, Suzanne Tiano"; "Cortland, Wes Foley"; "Delaware, Lynn Reed"; "Dutchess, Sandy Winder"; Gorlewski, Phillip (ERIE); "Essex, Daniel Woods"; "Franklin, Derrick Degon"; "Fulton, James Callery"; "Genesee, Orleans, Ron Mannella"; "Greene, Lance Fischer"; herbschmid258@gmail.com; "Herkimer, Mike Talaba"; "Jefferson, Lewis, Brian Mooney"; "Jefferson, Lewis, Sarah Yount"; Johnson, Cameron M (Ontario Co); LaMarca, Charles (ERIE); "Madison, Mark Miller"; "Monroe, Jeffrey Berl"; "Montgomery, Raymond Borst"; "Mt. Vernon, Michael Paulercio"; Heino, Kenneth (NASSAU); Lilli, Philip (NASSAU); "Niagara, Patrick M. Kenney"; "NYC, Anthony Gangemi"; "NYC, Richard O'Hara"; "Oneida, Brian Barile"; "Orange, Mike Stanley"; "Oswego, Jamie Comstock"; "Otsego, Jody Taylor"; "Michael Budzinski"; "Rensselaer, Laurie Danaher"; "Rensselaer, Laurie Danaher"; "Bryant, Charles"; "Rockland, James Elcik"; "Rockland, Kevin Guiney"; Caputo, James J (SCHENECTADY Co); "Schoharie, Jacob Van Evera"; Sauvadeau, Susan (SENECA Co); "St. Lawrence, Adam Simmons"; "Steuben, Langdon Holmes"; "Suffolk, Joe Wood"; "Sullivan, Julian Motola"; "Sullivan, Mark Witkowski"; "Tioga, Mark Griep"; "Ulster, James Degasperis"; "Warren, Jeffery Woodell"; "Washington, Daniel Sullivan"; WM- Weights Measures; "Westchester, Ethan Bogren"; "Westchester, John Gaccione"; rjines@wyomingco.net; "Yonkers, Eric Wright"; "Yonkers, Kerry O'Brien"  
**Cc:** Willis, James (AGRICULTURE)  
**Subject:** Dollar General Wayne County  
**Date:** Thursday, January 19, 2023 3:28:53 PM

**ATTENTION: This email came from an external source. Do not open attachments or click on links from unknown senders or unexpected emails.**

Good morning,

I am having big issues with Dollar Generals in my county and pricing accuracy compliance. I know that this is a nationwide trend but am wondering [REDACTED]

I issue a blanket \$300 penalty for a failure regardless of how many overcharges the store may have. \$600 for a re-inspection failure. I just did an inspection yesterday and the location failed with 71%. All 29 errors were over charges, 5 of them being large. I did an initial inspection at another location and they failed with 92% all errors overcharges, penalty issued. I go back 5 weeks later and they fail this time with 86%, 11 of the errors being overcharges. I have received 2 complaints from consumers regarding exactly this issue in 2022. 12 of my last 13 Dollar General Pricing accuracy inspections have resulted in failures for the stores.

[REDACTED]

Any advice or feedback or general thoughts would be appreciated.

Theodore Dymnt  
Director of Weights & Measures  
Wayne County Weights & Measures  
7227 Rt. 31 Lyons NY 14489

Phone: 315-946-5620

Fax: 315-946-5610

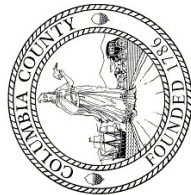
TDyment@co.wayne.ny.us



Go Green! Print this email only when necessary. Thank you for helping the County of Wayne be environmentally responsible.

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# Columbia County

Susanne Tiano, Director

Weights & Measures

401 State Street, Hudson NY 12534

Phone: (518) 697-8291

## Price Verification Detail Report

**Insp Date:** 12/29/2022 **Business ID:** CC000017

**Business:** Dollar General-Germantown  
4301 NY-9G

Germantown, NY 12526

**Inspection:** CC000006

**Store ID:**

**Phone:** 518-318-1515

**Inspector:** 001 Suzanne Tiano

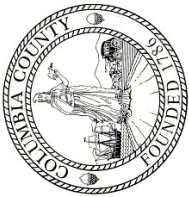
**Reason:** Routine Inspection

Commodity	Location	UPC	Lot Size	Shelf	Scan	Error	Lot Error	IU	Notes
Mchelob Ultra 12 pkg	Front Cooler	18200069918		\$13.00	\$13.90	(\$0.90)			Over Charge
Coors Light 18 pk	Front Cooler	719903001736		\$17.00	\$17.00				
Monster Energy 10 oz	Front Cooler	70847037989		\$2.40	\$2.40				
Entenmann's Mini chocolate Chop Brownie	Isle Display	72030022963		\$0.00	\$4.20	(\$4.20)			No Shelf Tag
Cheetos Crunchy 3.5 oz pkg	End Cap Isle 1	28400329453		\$0.00	\$2.15	(\$2.15)			No Shelf Tag
Armour Ham and Cheese Loaf 12 oz.	Side Wall Coole	27815020337		\$3.25	\$3.25				
Smart Food 10 pk	Isle 1	28400679091		\$0.00	\$6.25	(\$6.25)			No Shelf Tag
Eggo Buttermilk Waffles	Side Cooler	38000402906		\$3.25	\$3.25				
Propel Drink 20 fl oz	End Cap Isle 12	52000047493		\$0.00	\$2.35	(\$2.35)			No Shelf Tag
True Living 5 pk Dish Cloth	End Cap 12	840525097761		\$0.00	\$6.00	(\$6.00)			No Shelf Tag
True Living 8.375	Back Wall	74688636684		\$4.95	\$5.50	(\$0.55)			Over Charge

Inspector

Acknowledged Receipt :





# Columbia County

Susanne Tiano, Director

Weights & Measures

401 State Street, Hudson NY 12534

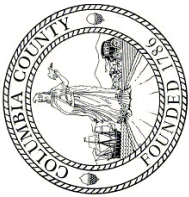
Phone: (518) 697-8291

## Price Verification Detail Report

Commodity	Location	UPC	Lot Size	Shelf	Scan	Error	Lot Error	IU	Notes
Top Ramen	Isle 12	70662055021		\$1.25	\$1.25				
Lea & Perrins Worcestershire Sauce	Isle 14	516000000378		\$3.00	\$3.00				
Clover VAlley Kosher Pickles	Isle 14	850012565031		\$2.65	\$2.65				
Welches Grape Juice 64 fl oz	Isle 14	41800207503		\$5.00	\$5.00				
Sweet Sue Chicken and Dumpling Soup 20 oz	Isle 13	41358501238		\$3.65	\$3.65				
Starkist Tuna Creations 2.6 oz.	Isle 13	80000513083		\$1.50	\$1.50				
Pink Salmon 14.75 oz	Isle 13	21100022143		\$4.65	\$4.65				
Nebisco Honey made crackers	Isle 13	4400004637		\$4.75	\$4.75				
Clover Cream Cookies	Isle 14	86106013106		\$1.50	\$1.50				
Jolly Rancher	Isle 3	10700101099		\$1.00	\$1.00				
Reeses Minitures 8 oz	Isle 3	34000432325		\$3.75	\$3.75				
Pure LEaf Brewed Tea	End Cap Cooler	12000286223		\$1.85	\$2.28	(\$0.43)			Over Charge
Freihofer's Italian Bread	Bread Area	71330601342		\$3.20	\$3.10	\$0.10			Under Charge

Inspector

Acknowledged Receipt :



# Columbia County

Susanne Tiano, Director

Weights & Measures

401 State Street, Hudson NY 12534

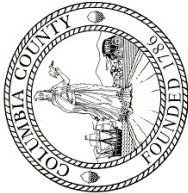
Phone: (518) 697-8291

## Price Verification Detail Report

Commodity	Location	UPC	Lot Size	Shelf	Scan	Error	Lot Error	IU	Notes
Reeses Bottom Up	Seasonal Candy	34000941865		\$3.25	\$3.25				
Decorative Throw	Isle 14	430001749286		\$12.00	\$12.00				
Shag Rug	Isle 14	86364632934		\$30.00	\$30.00				
Comfort Bay 8 pk Wash Clothes	Isle 14	784672304476		\$0.00	\$6.50	(\$6.50)			No Shelf tag
Waffel Cushion	Isle 14	73161068769		\$11.00	\$11.00				
Cooking Griddle	Back Wall	76753542340		\$15.00	\$15.00				
Rubbermaid Take alongs	Back Wall	71691519782		\$6.25	\$6.25				
T-Rex Duck Tape	Automotive Isle	40074023512		\$4.75	\$5.95	(\$1.20)			Over Charge
Pro Essentials Masking Tape 2 in"	Automotive	430001353179		\$4.50	\$4.75	(\$0.25)			Over Charge
Pro Essentials Dead Lock	Automotive	430001478049		\$11.00	\$11.00				
2 Gallon Gaas Can	Automotive	60534840237		\$17.50	\$17.50				
California Aerospray	Automotive	91400414078		\$4.25	\$4.50	(\$0.25)			Overcharge
Scott Shop Towels	Automotive	84000751301		\$3.50	\$3.50				
Brakeleen	Automotive	78254050508		\$5.50	\$5.50				
Carpet Love	Automotive	850015737602		\$1.00	\$1.00				
Rid a Bug Defogger	Automotive	71121002587		\$6.50	\$6.50				
Off Deep Woods	Automotive	46500018428		\$7.00	\$7.00				
Hanes 6 pkg Mens over the Calf socks	6 Tube Over th	38257766486		\$7.75	\$7.75				
Hefty 13.5 Trash Can	Isle 16	25947219733		\$18.95	\$18.95				
Pet Bowl	Isle 16	890308551010		\$4.75	\$4.75				
Tide Simply Clean	Isle 17	37000442066		\$8.25	\$8.25				

Inspector

Acknowledged Receipt :



# Columbia County

Susanne Tiano, Director

Weights & Measures

401 State Street, Hudson NY 12534

Phone: (518) 697-8291

## Price Verification Detail Report

Commodity	Location	UPC	Lot Size	Shelf	Scan	Error	Lot Error	IU	Notes
Downy Rinse & Refresh	Isle 17	37000879152		\$6.95	\$6.95				
Febreeze Car Air Freshner	Isle 17	30772010877		\$6.00	\$6.00				
Dial Soap	Isle 19	17000132587		\$7.75	\$7.75				
Old Spice 30 ox	Isle 19	30772035160		\$8.75	\$8.75				
Band-Aid Skin Senesitive	Side Wall	381372020071		\$4.25	\$4.25				

**Result:** Fail, Increased Inspection Frequency

**Sample Size:** 50

**Fail Rate:** 26.0% **Net Dollar Error:** (\$30.93)

**Columbia County Weights and Measures conducted a pricing accuracy inspection of**

**Notes:**

- 74 % Failure Rate
- 50 Items Scanned
- 6 Overcharges
- 6 No Shelf Tags
- 1 Under Charge

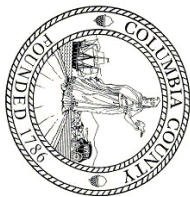
There were many items that did not have shelf tags that were not included in inspection and also many items not in correct area.

Fine Letter to Follow

Inspector

Acknowledged Receipt :





# Columbia County

Susanne Tiano, Director

Weights & Measures

401 State Street, Hudson NY 12534

Phone: (518) 697-8291

Price Verification Detail Report

Inspector \_\_\_\_\_

Acknowledged Receipt: \_\_\_\_\_

No. 2853

James P. Callery Director  
Fulton County Department of Weights and Measures  
County Services Complex  
2712 St Hwy 29  
Johnstown, New York 12095  
Telephone: (518) 736-5880

☐ Retest  
☐ Retest Required

## DEVICE INSPECTION AND TEST REPORT

FIRM <u>DOLLAR GENERAL</u>	DATE <u>10/6/2022</u>
ADDRESS <u>3266 STATE ST</u>	STORE NO. <u>20951</u>
TOWN/CITY <u>CAIRO LAKE NY</u>	TELEPHONE NO. <u>607-298-5851</u>
ZIP CODE <u>12012</u>	

☐ Supermarket ☐ Food Store/Deli ☐ Fish/Butcher ☐ Candy ☐ Bakery ☐ Drug ☐ Hardware ☐ Gas Station/Store  
☐ Variety ☐ Fuel Oil Dealer ☐ Process/Ware/Manuf. ☐ Gas Station ☐ Other: \_\_\_\_\_

Device	Total	VISUAL INSPECTION				TEST				Ordered Repaired	Condemned
		Found Correct	Corrected	Other	Not Sealed	Number Correct	Plus	Minus	Other		
Comp. Scale											
Pre-Pkg. Scale											
Vehicle Scale											
Track Scale											
Prescript. Scale											
Hop/Bat. Scale											
Platform Scale											
Livestock Scale											
Misc. Scale											
Petroleum Pumps											
Petroleum Meters											
Rack Meters											
Liquid Measures											
Volum. Measures											
Weights Other											
Linear Measures											
Linear Device											
Timing Device											
Taxi Meters											
Bulk Milk Tanks											
Misc.											

Devices listed below require repair or adjustments:

Manuf.	Model No.	Serial No.

☐ Notify Director of Weights and Measures IN WRITING when ready for retesting.

☐ "For Customer Use" sign required on or near customer scale.

☐ Customer scale required within 30 ft. of retail pre-packed display.

☐ Price signs, with tax breakdown, must be posted on every pump or dispenser.

☐ Security seals on all approved meters applied on \_\_\_\_\_.

☐ Product used for testing as shown on this form was returned to proper storage tank, as instructed by operator.

## Gallons Pumped

No load	Diesel
Regular	Kero
Prem.	50:1
NL-Prem.	Fuel Oil
190	
260	

Remarks

PRICE ACCURACY 100%

It is the user's responsibility to maintain the accuracy of all weighing and measuring devices. Scales must be free of foreign matter, level, on a solid base and must start at zero. All indications displayed must be in agreement. Notify the Director immediately in writing of any new or reconditioned weighing and measuring device which will be used commercially.

Acknowledged By: <u>[Signature]</u>	Inspector: <u>James P. Callery</u>
-------------------------------------	------------------------------------

ATTACH ADDITIONAL SHEETS FOR COMMENTS AND REMARKS

## Price Verification Tally Sheet

Sample	Location/Area	Item	U.P.C./Identity	Shelf S	Charge S	Error S
1		CORN TORTILLA		185		
2		STRAW CRISP		100		
3		TOMATOES		100		
4		THOMAS MUFFINS		225		
5		CHIPS M-HOT		475		
6		GOLD KIS4		450		
7		SALENO POPPERS		100		
8		LIGHT MIDDLES		450		
9		SPRAY PAINT		535		
10		FLASH LIGHT		500		
11		ANTI FREEZE		1185		
12		GLASS MUGS		595		
13		SHOWER CURTAIN		1600		
14		CURTAIN		1500		
15		SHAMPOO		200		
16		TOWEL		400		
17		CANISTER		700		
18		ROCKS		200		
19		STORAGE BOX		995		
20		GLUE		550		
21		LEGO		2075		
22		CRAZY STRAW		400		
23		MATCH BOX		185		
24		DAWA		350		
25		CHEST		450		

Date: 10/6/2022

Report#: 2853



Phone: (518) 736-5880 Fax: (518) 736-1135

## Price Verification Tally Sheet

Sample	Location/Area	Item	U.P.C./Identity	Shelf \$	Charge \$	Error \$
1		TOSTITOS QUESO		4.75		
2		BUSCH		4.96		
3		MUD		11.55		
4		CORIE		2.35		
5		MILK		4.45		
6		PUTZ		3.25		
7		FLIPZ		2.25		
8		PLANTERS		2.50		
9		ANAN CUPP		2.55		
10		KRAFT SINGLES		4.25		
11		EGGS		3.95		
12		COFFEE		9.95		
13		MINI TACOS		5.00		
14		SOUP PATCH		2.45		
15		SYRUP		3.25		
16		SUNNY D		1.00		
17		PEPSI		2.90		
18		CEASER		1.75		
19		PURINA ONE		2.75		
20		FRISKY		13.50		
21		TIE OUT STAKE		4.25		
22		MAZOWA OIL		5.00		
23		PINK SALMON		4.65		
24		VELOETA		2.50		
25		SMUCKERS		3.50		

Date: 10/6

Report#: 2853

No. 2854

James P. Callery Director  
Fulton County Department of Weights and Measures  
County Services Complex  
2712 St Hwy 29  
Johnstown, New York 12095  
Telephone: (518) 736-5880

☐ Retest  
☐ Retest Required

## DEVICE INSPECTION AND TEST REPORT

FIRM <u>DOLLAR GENERAL</u>	DATE <u>10/21/2020</u>
ADDRESS <u>2400 ST HWY 30</u>	STORE NO. <u>13744</u>
TOWN/CITY <u>MANFIELD NY</u> ZIP CODE <u>12117</u>	TELEPHONE NO. <u>518 736 6091</u>

☐ Supermarket ☐ Food Store/Deli ☐ Fish/Butcher ☐ Candy ☐ Bakery ☐ Drug ☐ Hardware ☐ Gas Station/Store  
☒ Variety ☐ Fuel Oil Dealer ☐ Process/Ware/Manuf. ☐ Gas Station ☐ Other: \_\_\_\_\_

Device	Total	VISUAL INSPECTION				TEST				Ordered Repaired	Condemned
		Found Correct	Corrected	Other	Not Sealed	Number Correct	Plus	Minus	Other		
Comp. Scale											
Pre-Pkg. Scale											
Vehicle Scale											
Track Scale											
Prescript. Scale											
Hop./Bat. Scale											
Platform Scale											
Livestock Scale											
Misc. Scale											
Petroleum Pumps											
Petroleum Meters											
Rack Meters											
Liquid Measures											
Volum. Measures											
Weights Other											
Linear Measures											
Linear Device											
Timing Device											
Taxi Meters											
Bulk Milk Tanks											
Misc.											

Devices listed below require repair or adjustments:

Manuf.	Model No.	Serial No.

☐ Notify Director of Weights and Measures IN WRITING when ready for retesting.

☐ "For Customer Use" sign required on or near customer scale.

☐ Customer scale required within 30 ft. of retail pre-packed display.

☐ Price signs, with tax breakdown, must be posted on every pump or dispenser.

☐ Security seals on all approved meters applied on \_\_\_\_\_.

☐ Product used for testing as shown on this form was returned to proper storage tank, as instructed by operator.

Gallons Pumped			
No lead		Diesel	
Regular		Kero	
Prem.		50:1	
NL-Prem.		Fuel Oil	
190			
260			

Remarks

PRICE ACCURACY 86 WARNING NO PENALTY

It is the user's responsibility to maintain the accuracy of all weighing and measuring devices. Scales must be free of foreign matter, level, on a solid base and must start at zero. All indications displayed must be in agreement. Notify the Director immediately in writing of any new or reconditioned weighing and measuring device which will be used commercially.

Acknowledged By: <u>[Signature]</u>	Inspector: <u>[Signature]</u>
-------------------------------------	-------------------------------

ATTACH ADDITIONAL SHEETS FOR COMMENTS AND REMARKS

## Price Verification Tally Sheet

Sample	Location/Area	Item	U.P.C./Identity	Shelf \$	Charge \$	Error \$
1		AW		425		
2		PLATES:		750		
3		MATCHES	031 771 001 707	NOTAC		
4		PAPER TOWELS . .		350		
5		SHOE LACE		175		
6		TIDY CAT		650		
7		BEGGIN STRIPS		265		
8		LAKE		185		
9		SNAPPLE		150		
10	16	PUZZLE	686 141 443 373	NOTAC		
11		DOLL		1050		
12		PLAY DOH		375		
13	16	POSTER LETTERS	672 125 013 601	275	300	+25
14		CRAYOLA		150		
15	17	TAPE	075 353 320 938	650	700	+50
16		BIC PEN		325		
17		TABLE CLOTH		300		
18	19	TEA-LIGHTS	430 001 182 007	400	450	+50
19	. .	DOWNY		825		
20		VALVOLINE OIL		525		
21		BART-CHAIN OIL		625		
22		IRONING BOARD		3000		
23		TOOTH BRUSH		500		
24		RUBBING ALCOHOL		340		
25		HALLS		245		

Date: 10/6/2022

Report#: 2854

DISPLAY WRONG 17 BIC



2712 State Hwy. #29  
Johnstown, N.Y. 12095  
Phone: (518) 736-5880 Fax: (518) 736-1135  
Price Verification Tally Sheet

Sample	Location/Area	Item	U.P.C./Identity	Shelf \$	Charge \$	Error \$
1		TACO SHELL		120		
2		BATTERY CHARGER		850		
3		PBR		1050		
4		MONSTER		240		
5		COMBOS		475		
6		SHIM JIM		625		
7		PISTACHIO		450		
8	1	MUNCHIES PEANUTS	019400 109147	99	105	+6
9		DRUM STICK ICE CREAM		400		
10		ITALIAN BREAD		320		
11		LIFE SAVER		250		
12		MILK		425		
13		SHRIMP		575		
14		RICE KRISPIE		320		
15	4	AI SAUCE	054 400 000 054	450	475	+25
16		SNACK PACK		295		
17		SUGAR		265		
18		EVAPORATED MILK		165		
19		PIZZA ROLLS		225		
20		MAC & CHEESE		135		
21		YAMS		285	295	-10
22		GREEN BEANS		275	275	
23		TUNA		345		
24		KOOL-AID		285		
25		POTATO SKINS		100		

Date: 10/6/2022

Report#: 2854

## Fulton County Weights &amp; Measures Department

2712 State Hwy. #29

Johnstown, N.Y. 12095

Phone: (518) 736-5880 Fax: (518) 736-1135

## Price Verification Report

Page 1 of 1Inspection: ☐ 1st ☐ 2nd ☐ 3rd Frequency: ☐ Normal ☐ Increased Type: ☐ Stratified ☐ Automated ☐ Randomized Complaint: ☐

Location of Test (Store Name, Address, County, Zip Code)		Date:	Telephone:		
		Manager:	Type of Store:		
Identity, Brand Name, Item or Style Number	Number of Items, Size, Location in Store, or U.P.C. Code		Offered Price	Price Charged	Price Error in Cents
1. MUNCHIES PEANUTS	025 400 109 147		99	105	+6
<input type="checkbox"/> Stop Sale Issued <input type="checkbox"/> Corrected	Comments:				
2. AI SAUCE	054 400 000 054		450	475	+25
<input type="checkbox"/> Stop Sale Issued <input type="checkbox"/> Corrected	Comments:				
3. POSTER LETTERS	672 125 013 601		275	300	+25
<input type="checkbox"/> Stop Sale Issued <input type="checkbox"/> Corrected	Comments:				
4. PACKING TAPE	075 353 320 938		650	700	+50
<input type="checkbox"/> Stop Sale Issued <input type="checkbox"/> Corrected	Comments:				
5. TEA LIGHTS	430 001 192 007		400	450	+35
<input type="checkbox"/> Stop Sale Issued <input type="checkbox"/> Corrected	Comments:				
6. MATCHES	031 779 001 707				
<input type="checkbox"/> Stop Sale Issued <input type="checkbox"/> Corrected	Comments: NO SHELF TAG				
7. PUZZLE	686 141 443 373				
<input type="checkbox"/> Stop Sale Issued <input type="checkbox"/> Corrected	Comments: NO SHELF TAG				
8.					
<input type="checkbox"/> Stop Sale Issued <input type="checkbox"/> Corrected	Comments:				

Comments/Remarks:

## Evaluation of Results:

50 Sample - 0 Not on File = 50 Adjusted Sample7 Errors + 50 Adjusted Sample = 14 Error (%)Accuracy 86 % Ratio: 5/0 Overcharges

Acknowledged by:

Official:

*James P. Cadey*

No. 2855

James P. Callery Director  
Fulton County Department of Weights and Measures  
County Services Complex  
2712 St Hwy 29  
Johnstown, New York 12095  
Telephone: (518) 736-5880

☐ Retest  
☐ Retest Required

## DEVICE INSPECTION AND TEST REPORT

FIRM <u>DOLLAR GENERAL</u>	DATE <u>10/6/2022</u>
ADDRESS <u>111 BELEN RD</u>	STORE NO. <u>14667</u>
TOWN/CITY <u>BROADALON, NY</u> ZIP CODE <u>12025</u>	TELEPHONE NO. <u>518-893-8412</u>

☐ Supermarket ☐ Food Store/Deli ☐ Fish/Butcher ☐ Candy ☐ Bakery ☐ Drug ☐ Hardware ☐ Gas Station/Store  
☒ Variety ☐ Fuel Oil Dealer ☐ Process/Ware/Manuf. ☐ Gas Station ☐ Other: \_\_\_\_\_

Device	Total	VISUAL INSPECTION				TEST				Ordered Repaired	Condemned
		Found Correct	Corrected	Other	Not Sealed	Number Correct	Plus	Minus	Other		
Comp. Scale											
Pre-Pkg. Scale											
Vehicle Scale											
Track Scale											
Prescript. Scale											
Hop/Bat. Scale											
Platform Scale											
Livestock Scale											
Misc. Scale											
Petroleum Pumps											
Petroleum Meters											
Rack Meters											
Liquid Measures											
Volum. Measures											
Weights Other											
Linear Measures											
Linear Device											
Timing Device											
Taxi Meters											
Bulk Milk Tanks											
Misc.											

Devices listed below require repair or adjustments:

Manuf.	Model No.	Serial No.

☐ Notify Director of Weights and Measures IN WRITING when ready for retesting.

☐ "For Customer Use" sign required on or near customer scale.

☐ Customer scale required within 30 ft. of retail pre-packed display.

☐ Price signs, with tax breakdown, must be posted on every pump or dispenser.

☐ Security seals on all approved meters applied on \_\_\_\_\_.

☐ Product used for testing as shown on this form was returned to proper storage tank, as instructed by operator.

## Gallons Pumped

No Inad	Diesel	Kero
Regular		
Prem.	50:1	
NL-Prem.	Fuel Oil	
190		
260		

Remarks

PRICE ACCURACY 69

I WILL BE BACK NO PENALTY

It is the user's responsibility to maintain the accuracy of all weighing and measuring devices. Scales must be free of foreign matter, level, on a solid base and must start at zero. All indications displayed must be in agreement. Notify the Director immediately in writing of any new or reconditioned weighing and measuring device which will be used commercially.

Acknowledged By:

Inspector

ATTACH ADDITIONAL SHEETS FOR COMMENTS AND REMARKS



2712 State Hwy #29  
Johnstown, N.Y. 12095  
Phone: (518) 736-5880 Fax: (518) 736-1135  
Price Verification Tally Sheet

Sample	Location/Area	Item	U.P.C./Identity	Shelf \$	Charge \$	Error \$
1	1	YUENGLING	089924278986	1155	1255	+100
2		ALMOND MILK		395	395	
3		COTTAGE CHEESE	070744009775	215	240	+25
4		CRESENT ROLLS		395		
5		PICNIE BITS		155		
6		PEROGIES	041464000222	300	350	+50
7		HANDQUET CHICKEN		195	195	
8		STOUTERAS MOULS	013800475626	425	525	+100
9		SUNNIST		160		
10		STAX		195		
11		MONSTER		240		
12		ZIZ APPLE SAUCE	894114007277	250	295	+45
13		FRIED ONIONS	04150072022	245	275	+30
14		FRUITY PEPPERS		345		
15		MASAMELLOW CREME		165		
16		SPENDON		225		
17		CAPACINO		335		
18		ZIPLOCK		440	440	
19		PREMIUM CHEDDAR		325		
20		PARMESIAN CHEESE	021000615315	455	460	+5
21		DASHED POT		175		
22		EASY CHEESE		450		
23		ICED SHAMEAN COONIES		125		
24		WITCH MAKE UP		300		
25		TAPE	075353356559	425	450	+25

Date: 10/6/2022

Report#: 7855

## Fulton County Weights &amp; Measures Department

2712 State Hwy. #29

Johnstown, N.Y. 12095

Phone: (518) 736-5880 Fax: (518) 736-1135

## Price Verification Report

Page 1 of 1

Inspection: ☐ 1st ☐ 2nd ☐ 3rd Frequency: ☐ Normal ☐ Increased Type: ☐ Stratified ☐ Automated ☐ Randomized Complaint: ☐

Location of Test (Store Name, Address, County, Zip Code) DOLLAR GENERAL 111 BELLE RD BROADALBIN NY 12025		Date: 10/6/2022	Telephone: 518-853-8412		
		Manager:	Type of Store: VARIETY		

Identity, Brand Name, Item or Style Number	Number of Items, Size, Location in Store, or U.P.C. Code	Offered Price	Price Charged	Price Error in Cents
1. YUENGLING	089924 279786	1155	1255	+100
<input type="checkbox"/> Stop Sale Issued <input type="checkbox"/> Corrected	Comments:			
2. COTTAGE CHEESE	070744009775	215	240	+25
<input type="checkbox"/> Stop Sale Issued <input type="checkbox"/> Corrected	Comments:			
3. PEANUTS	041164000222	300	350	+50
<input type="checkbox"/> Stop Sale Issued <input type="checkbox"/> Corrected	Comments:			
4. STOUFFERS BOWLS	013800475626	425	525	+100
<input type="checkbox"/> Stop Sale Issued <input type="checkbox"/> Corrected	Comments:			
5. ZEPHRA SAGE	854114007277	250	295	+45
<input type="checkbox"/> Stop Sale Issued <input type="checkbox"/> Corrected	Comments:			
6. FRIED ONIONS	041500220222	245	275	+30
<input type="checkbox"/> Stop Sale Issued <input type="checkbox"/> Corrected	Comments:			
7. PARMESAN CHEESE	02100615315	455	460	+5
<input type="checkbox"/> Stop Sale Issued <input type="checkbox"/> Corrected	Comments:			
8. PACKING TAPE	075393354699	425	450	+25
<input type="checkbox"/> Stop Sale Issued <input type="checkbox"/> Corrected	Comments:			

Comments/Remarks:

5/10

## Evaluation of Results:

25 Sample - 0 Not on File = 25 Adjusted Sample

8 Errors + 25 Adjusted Sample = 33 Error (%)

Accuracy 69 % Ratio: 8/10 Overcharges

Acknowledged by:

Official:

**Columbia County Weights & Measures**  
401 State Street  
Hudson, New York 12534  
(518) 697-8291

January 3, 2023

Dollar General  
70 Fairview Ave.  
Hudson, NY 12534

Re: Price Accuracy Inspection Report No. 2302 – December 30, 2022

Dear Sir/Madam:

On December 30, 2022 Columbia County Weights and Measures conducted a pricing accuracy inspection of your store and found the following violations of Section 197-b (4) of Article 16 of the New York State Agriculture and Markets Law:

- (1) Sixteen (16) SKU items were overcharges;
- (2) Three (3) SKU items did not have a shelf price; and
- (3) Two (2) items were undercharged.

In order for a retail store to be deemed in compliance with the pricing requirements set forth in the New York State Agriculture and Markets Law, ninety-eight percent (98%) of the items selected must be accurately priced. In this case, only 53.1 percent (53.1%) of the items sampled were accurately priced, as more specifically set forth in the attached Pricing Accuracy Audit Sheet dated December 30, 2022.

A civil penalty pursuant to Section 181(7) and in an amount consistent with Sections 39 and 40 of the New York State Agriculture and Markets Law, may be imposed for violations enumerated in the statute.

As a result of the violations discovered during the inspection of your store, a civil penalty of \$5100.00 is being assessed by this office. This amount represents a \$300.00 penalty each for the sixteen (16) items overcharged and an additional \$300.00 for falling below the 98% pricing accuracy requirement. If the civil penalty is paid in full and the pricing errors are corrected within 10 days of the date of this letter, no further action will be taken in this matter. An informal conference with the Municipal Director may be requested in writing within ten (10) days of the date of this letter.

Your failure to respond to this notice within ten (10) days of the date of this letter may result in this matter being referred to the Columbia County Attorney's Office for commencement of an action to recover the amount of the penalties assessed, together with any court costs.



Payment may be made by certified check, bank check or by postal or express money order, payable to the **Columbia County Treasurer, 15 N. 6 St., Hudson, New York 12534**. Payment of the penalty will not be considered by this office to be an admission of liability.

Any response to this notice must include the above-referenced Inspection Report Number 2302 on your correspondence.

Sincerely,

Suzanne Tiano  
Director of Weights and Measures

cc: Columbia County Treasurer's Office  
Columbia County Attorney's Office